ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xxiii.

An Act to alter, extend, and amend the Powers of Two Acts, passed in the Tenth Year of the Reign of His late Majesty King *George* the Second, and in the Twelfth Year of the Reign of His present Majesty, for better paving, lighting, and watching the City of *New Sarum*, in the County of *Wilts*.

[2d *May* 1815.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the better repairing and paving the Highways, Streets, and Watercourses within the City of* New Sarum, *and for enlightening the Streets, Lanes, and Passages, and better regulating the Nightly Watch within the said City:* And whereas another Act was passed in the Twelfth Year of the Reign of His present Majesty King *George* the Third, intituled *An Act to continue and enlarge the Term and Powers of an Act made in the Twenty-sixth Year of the Reign of King* George *the Second, for repairing and widening the Roads leading from* Lobcombe Corner, *in the Parish of* Winterslow, *to* Harnham Bridge, *in the County of* Wilts, *and from the West Corner of* Saint Ann's Street, *in the City of* New Sarum, *to the Parishes of* Landford *and* Brook, *and from thence to* Ealing, *and from* Landford *aforesaid through* Ower *and* Testwood *to* Ealing *aforesaid, in the County of* Southampton; 10 G. 2. 12 G. 3.

and for repairing and widening the Road from the Romſey *and* Ringwood *Turnpike Road near the Houſe of* Francis Fry *to* Lyndhurſt, *and from a Place called* Hampton Ford *to* Lambs Corner, *in the ſaid County of* Southampton, *and for repairing the Footways within the ſaid City*; by which Acts certain Powers and Authorities were given to the Directors and Truſtees therein named and their Succeſſors, for cleanſing the Streets and Watercourſes, paving and enlightening the Streets, and keeping a ſtrong and well regulated Watch in the Night-time within the ſaid City, and for other Purpoſes in the ſaid Acts mentioned: And whereas the Directors and Truſtees for executing the ſaid recited Acts have proceeded to put the ſame in Execution, and have made great Progreſs therein; but the Sum which the ſaid Directors and Truſtees were empowered to borrow upon the Credit of the Tolls and Duties directed to be raiſed under and by virtue of the laſt recited Act, hath been found inadequate to the Expence of carrying the ſame into Execution, and the ſaid Directors and Truſtees have contracted Debts, and are now indebted in conſiderable Sums of Money, which cannot be paid off unleſs further Powers are granted to the ſaid Directors and Truſtees, and the Powers and Proviſions of the ſaid Acts ſo far as the ſame relate to the cleanſing, paving, and enlightening the ſaid Streets, cleanſing and repairing the Watercourſes, maintaining and keeping a ſtrong and well regulated Watch in the Night-time, removing and preventing Nuiſances, Annoyances, and Encroachments within the ſaid City, and making, raiſing, and collecting of Rates and Tolls for the Purpoſes aforeſaid, have been found to be in ſeveral Reſpects inconvenient, defective, and inadequate to the Purpoſes of the ſaid Acts; and it is therefore requiſite and expedient that the Powers and Proviſions of the ſaid recited Acts in relation to the Purpoſes aforeſaid ſhould be altered, explained, amended, extended, and enlarged, and Part of the ſaid recited Acts repealed; but the ſame cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act of the Tenth Year of the Reign of His late Majeſty King *George* the Second, and ſo much of the ſaid recited Act of the Twelfth Year of the Reign of His preſent Majeſty King *George* the Third, as relates to the repairing the Footways within the ſaid City of *New Sarum*, ſhall be and the ſame are hereby declared to be repealed (except ſuch Clauſes, Powers, Proviſoes, Matters, and Things, as relate to the Payment of all Sums of Money now due and owing on the Credit of the ſaid recited Acts).

Aſſignments, Securities, Contracts, &c. under former Acts continued.

II. Provided nevertheleſs, and be it further enacted, That all Aſſignments and other Securities given by the ſaid Directors and Truſtees, for all and every Sums of Money borrowed by them under and by virtue of the ſaid recited Acts or either of them, upon the Credit of the Tolls and Duties thereby directed to be raiſed and made payable, and all Contracts heretofore made, by or with the ſaid Directors or Truſtees acting under and by virtue of the ſaid recited Acts, or any of them, in purſuance of the Powers therein contained, and all Rates, Aſſeſſments, and Orders, for the Payment of any Sum or Sums of Money, by any Perſon or Perſons whomſoever, under and by virtue of the ſaid recited Acts, for the Expences

of

of paving, ſweeping, cleanſing, and repairing the ſeveral Streets and public Paſſages within the ſaid City or any Part thereof, ſhall and the ſame are declared to be in full Force and Effect in the ſame Manner as if the ſaid recited Acts had not been repealed; and that the Performance of ſuch Contracts, and the Payment of the ſaid ſeveral Sums of Money, ſhall and may be enforced by and againſt the ſaid Directors and Truſtees for putting this Act into Execution, or any of them, or any other Perſon or Perſons intereſted therein, in ſuch and the ſame Manner as if ſuch Securities, Contracts, Rates, or Aſſeſſments, had been reſpectively made, and ſuch ſeveral Sums of Money had reſpectively been borrowed or become due under and by virtue of this preſent Act.

Preſent Toll Gates to be continued, and new ones erected, &c.

III. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors and Truſtees, or any Five or more of them, to continue all and every the Toll Gates, Toll Bars, Stop Gates, Chains and Toll Houſes already erected and ſet up at the Avenues leading to and from the ſaid City, under and by virtue of the ſaid recited Acts; or to erect and ſet up, or cauſe to be erected and ſet up, any other Toll Gates, Toll Bars, Stop Gates, Chains, and Toll Houſes, at all and every the Avenues leading to and from the ſaid City, or within One Mile thereof, and to appoint fit and proper Perſons thereat to demand, receive, and take at each and every of the ſaid Toll Gates, Toll Bars, Stop Gates, Chains and Toll Houſes in every Year, during the following Days; (that is to ſay) on every *Sunday* in the Year and on the Day next before the firſt Day of the Races, called *The Saliſbury Races*, and during that Race Day and the Three following Days, the Tolls following, before any Horſe, Mare, Gelding, Mule, Aſs, Cattle, Coach, Landau, Berlin, Chariot, Chaiſe, Calaſh, Chair, Hearſe, Waggon, Cart, or other Carriage whatſoever, ſhall be permitted to paſs through the ſame; (that is to ſay,)

Tolls.

For every Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Hearſe, or Litter, drawn by Six Horſes, the Sum of One Shilling:

And for every Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Hearſe, or Litter, drawn by Four Horſes, the Sum of Nine-pence:

And for every Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Hearſe, or Litter, drawn by Two Horſes, the Sum of Sixpence:

And for every Chair drawn by One Horſe only, the Sum of Three-pence:

For every Caravan, Waggon, Cart, Dray, or other Carriage, drawn by Four or more Horſes or Oxen, or other Beaſts, the Sum of One Shilling; and drawn by leſs than Four Horſes, the Sum of Two-pence each Horſe:

For every Horſe, Mule, or Aſs, or other Beaſt of Burthen, laden or unladen, and not drawing, the Sum of One Penny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score; and ſo in Proportion for a greater or leſs Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

Which ſaid *Sundays* and Race Tolls when collected, ſhall be applied for the Purpoſes of this Act, and for no other Purpoſe whatſoever; but no ſuch Toll ſhall be demanded or taken for any Horſes or Carriages paſſing or repaſſing between the ſaid City and the Cloſe of the Cathedral Church adjoining

Tolls to be paid but once a Day.

adjoining thereto; nor shall any more than One Toll be demanded or taken in any one Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, for passing and repassing through all or any of the Gates already erected or to be erected by virtue of this Act; and if any Person or Persons shall forcibly pass through or over any of the Toll Gates, Toll Bars, Stop Gates, Chains, or Toll Houses, to be erected and set up for receiving and collecting the Tolls and Duties, or wilfully evade the Payment of such Toll; or if any Person or Persons, after the passing of this Act, shall at any Time strike or assault any Collector or Collectors, or other Person employed in the Collection of such Tolls or Duties, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in such Manner as the Penalties and Forfeitures by this Act inflicted and imposed, are herein-after directed and authorized to be recovered.

Tickets to be printed, &c.

IV. And be it further enacted, That upon Payment of any of the said Tolls, the Collector or Receiver shall, and he is hereby required, to deliver *gratis* to the Person paying such Toll, a Note or Ticket denoting such Payment, and which Notes or Tickets shall be provided by the said Directors and Trustees, and there shall be printed and specified thereon the Amount of the Tolls paid, the Day when paid, and the Names of the several or respective Gates which such Ticket shall free, or which ought to be passed free for one Payment of Toll; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and distrain any such Horses, or other Cattle or Beasts, or the Bridles, Saddles, Gears, Harness, Accoutrements, or a sufficient Part thereof (except the Bridles or Reins apart from any Horse or Beast); and if such Tolls and the reasonable Charges of such Distress shall not be paid within the Space of Four Days after such Distress made, the Person or Persons so distraining shall and may sell the Horse or Horses, Cattle, or other Things so distrained, or a sufficient Part thereof, returning the Overplus (if any) and what shall remain unsold, upon Demand, to the Owners thereof, after such Tolls and the reasonable Charges of making such Distress, and keeping and selling the same, shall be deducted and paid; such Charges to be ascertained, in case of Dispute concerning the same, by some Justice of the Peace for the City of *New Sarum* aforesaid, as herein-after mentioned.

Power to distrain for Toll.

Collectors to place their Names on Toll Gates, &c.

V. And be it further enacted, That all and every Toll Collector appointed by the said Directors and Trustees, or any Five or more of them, to collect the Tolls payable at any Toll Gate, Toll Bar, Stop Gate, Chain, or Toll House, to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Sirname painted on a Board in legible Characters in the Front or on some other conspicuous Part of the Toll House, or Toll Gate, immediately upon his coming on Duty, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person

or

or Perſons than he ſhall be authorized to do by virtue of this Act, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption; or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Sirname, or ſhall refuſe to tell his Chriſtian or Sirname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall give a falſe Name or Names on ſuch Demand, or ſhall refuſe or neglect to give a Ticket, which Ticket ſhall name and ſpecify the Amount of the Toll paid, the Day when paid, and the ſeveral Gates through which ſuch Perſon or Perſons may paſs Toll-free on the Production thereof, or ſhall make uſe of any ſcurrilous or blaſphemous Language to any Perſon or Perſons paſſing through ſuch Gate or Gates, or ſhall without ſufficient Cauſe detain or delay any Perſon or Perſons paſſing through ſuch Gate or Gates, then and in every ſuch Caſe every ſuch Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, to be recovered in ſuch Manner as the Penalties and Forfeitures by this Act inflicted are hereinafter directed and authorized to be recovered.

Diſputes concerning Tolls to be ſettled by a Juſtice.

VI. And be it further enacted, That in caſe any Diſpute ſhall happen reſpecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping any Diſtreſs, ſuch Diſputes ſhall be heard and determined by ſome Juſtice of the Peace for the City of *New Sarum* aforeſaid, who, upon Application to him made for that Purpoſe, ſhall examine the Matter upon Oath of the Parties, or other Witneſs or Witneſſes, (which Oath every ſuch Juſtice is hereby authorized and empowered to adminiſter) and determine the Amount of the Tolls due, and other Matters in Diſpute between the Parties, and alſo aſſeſs the Charges of ſuch Diſtreſs, Keeping, and Sale, and alſo of the Attendance of any Perſon or Perſons for that Purpoſe on ſuch Juſtice, and may alſo award ſuch Coſts to either Party, as ſuch Juſtice ſhall think juſt and reaſonable; and ſuch Juſtice may by his Order or Warrant levy the Coſts ſo awarded by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or other Perſon, and for Want of ſufficient Diſtreſs may commit ſuch Perſon or Perſons to the Common Gaol or Houſe of Correction of and for the ſaid City of *New Sarum*, for any Term not exceeding One Calendar Month, or until Payment of ſuch Coſts.

The Mayor, Recorder, Juſtices, and Four Inhabitants of each Pariſh to be Directors and Truſtees.

VII. And be it further enacted, That the Mayor, Recorder, and Juſtices of the ſaid City of *New Sarum*, for the Time being, together with Four of the principal Inhabitants of each of the Pariſhes of *Saint Thomas*, *Saint Edmund*, and *Saint Martin*, in the ſaid City of *New Sarum*, to be choſen yearly and every Year in ſuch Manner as is herein-after preſcribed, ſhall be and they are hereby nominated, conſtituted, and appointed Directors and Truſtees to put this preſent Act into Execution.

When and how choſen.

VIII. And be it further enacted, by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch of the Inhabitants of the ſaid Pariſhes of *Saint Thomas*, *Saint Edmund*, and *Saint Martin*, as are rated to and pay the Poor and Way Rates of the ſaid Pariſhes reſpectively, to meet and aſſemble in the Veſtry Room of their reſpective Pariſhes, or in the Place or Places where the Buſineſs of the ſaid Pariſhes is uſually tranſacted and done, on the Second *Monday* after the paſſing of this Act, between the

Hours of Twelve of the Clock in the Forenoon, and Two of the Clock in the Afternoon, and on the *Monday* in *Eaſter* Week, between the ſame Hours in every enſuing Year; and the ſaid Inhabitants ſo met and aſſembled, or the major Part of them then preſent, ſhall then and there, and they are hereby required to nominate, elect, chooſe, and appoint Four of the ſubſtantial Inhabitants of each and every of the Pariſhes aforeſaid, who are rated and pay to the Poor and Way Rates of the ſaid City, to be joined with the Mayor, Recorder, and Juſtices of the ſaid City for the Time being, Directors and Truſtees for putting this Act in Execution; and in caſe of the Death of any or either of the ſaid Inhabitants ſo nominated, choſen, or appointed, or of their or either of their Removal from the ſaid Pariſh for which they or he are or is ſo nominated, elected, choſen, and appointed, or their or either of their Refuſal to act as ſuch Director or Truſtee, or Directors or Truſtees, or in caſe of ſuch Election having been omitted to be made, it ſhall and may be lawful to and for the Mayor of the ſaid City of *New Sarum* for the Time being, and he is hereby required to iſſue his Precept to the Churchwardens of the reſpective Pariſhes, requiring the Inhabitants at their reſpective Veſtries or Places of aſſembling as aforeſaid, to meet (Four Days Notice being always given of ſuch Meetings in the Churches of the ſaid Pariſhes reſpectively, on the Lord's Day immediately after Divine Service), and then and there to nominate, elect, chooſe, and appoint ſuch and ſo many fit Perſon or Perſons inhabiting within the ſaid Pariſh who are rated and pay as hereinbefore mentioned, to ſupply the Place or Places of ſuch Perſon or Perſons as ſhall ſo die, remove, or refuſe to act, to be joined with the Directors and Truſtees before conſtituted and appointed to put this Act in Execution; and ſuch Perſon or Perſons as ſhall from Time to Time be ſo nominated, elected, choſen, and appointed, ſhall from thenceforth have the ſame Power and Authority to act in all Things relating to the Matters herein contained, as if he or they had been expreſsly named in and appointed by this Act; and the Names or Name of the Perſons or Perſon ſo nominated, elected, choſen, and appointed, ſhall be immediately certified to the Clerk of the ſaid Directors and Truſtees by the Churchwardens of the ſaid reſpective Pariſhes, or One of them, under their or his Hand.

In caſe of Death or Removal, others to be choſen.

Qualifications of Directors and Truſtees.

IX. Provided alſo, and be it further enacted, That no Perſon ſhall be capable of acting as a Director or Truſtee in the Execution of this Act (except in adminiſtering the Oath or Affirmation herein-after directed to be taken by the ſaid Directors and Truſtees), unleſs he ſhall be rated and pay to the Poor and Way Rates of the ſaid City, upon a Rental of Twenty Pounds at the leaſt, nor until he ſhall have taken and ſubſcribed an Oath or Affirmation to the Effect following, (which Oath or Affirmation any one of the ſaid Directors and Truſtees is hereby empowered to adminiſter); that is to ſay,

'I *A. B.* do ſwear, [*or*, being a *Quaker*, I do ſolemnly affirm], That I do believe in my Conſcience that I am rightly, truly, and *bonâ fide* qualified to act as a Director and Truſtee for putting into Execution an Act paſſed in the Fifty-fifth Year of King *George* the Third, intituled *An Act to alter, extend, and amend the Powers of Two Acts paſſed in the Tenth Year of the Reign of His late Majeſty King* George *the Second, and in the Twelfth Year of the Reign of His preſent Majeſty, for*

'*better*

'*better paving, lighting, and watching the City of* New Sarum, *in the* '*County of* Wilts, according to the Qualifications required of such Direc-
'tors and Truſtees by the ſaid Act.

'So help me GOD.'

And if any Perſon hereby deemed unqualified or incapable to act, ſhall nevertheleſs preſume to act in the Execution of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds, together with full Coſts of Suit, to any Perſon or Perſons who ſhall firſt ſue and proſecute for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he was qualified as aforeſaid at the Time of his acting as a Director or Truſtee, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor than that ſuch Perſon had acted as a Director or Truſtee in the Execution of this Act.

Pariſhes neglecting or refuſing to appoint Directors;

X. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the Inhabitants of the ſaid Three ſeveral Pariſhes reſpectively ſhall neglect or refuſe to nominate and appoint Four of the ſubſtantial Inhabitants of each of the ſaid Pariſhes, to be joined to and act with the Mayor, Recorder, and Juſtices of the ſaid City, according to the Directions herein-before preſcribed; that then it ſhall and may be lawful to and for the Mayor, Recorder, and Juſtices for the Time being, or the major Part of them, and they are hereby authorized and required to proceed, together with ſuch Inhabitants as ſhall be ſo nominated, elected, choſen, and appointed (if any), or if no ſuch Inhabitants ſhall be ſo nominated, elected, choſen, and appointed, then of their own Authority alone to put this Act in Execution; any Thing herein contained to the contrary notwithſtanding.

Mayor, Recorder, and Juſtices to put this Act in force.

Directors or Truſtees holding Offices or having Contracts not to act.

XI. And be it further enacted, That no Perſon who ſhall hold the Office of Clerk, Treaſurer, Surveyor, Aſſeſſor, Collector, or Scavenger to the ſaid Directors and Truſtees, or who ſhall be engaged in or have the Benefit of any Contract, or any Share or Intereſt in any Contract whatſoever, made or entered into under or by virtue of any of the Powers or Authorities of this Act, ſhall be capable of acting or ſhall act as a Truſtee in the Execution of this Act, during ſuch Time as he ſhall hold any ſuch Office, or be engaged in or have the Benefit of any ſuch Contract, or any Share or Intereſt in any ſuch Contract, on Pain of forfeiting the Sum of One hundred Pounds.

Truſtees, being Juſtices of the Peace of the City of New Sarum, may act as ſuch Juſtices.

XII. And be it further enacted, That every Juſtice and Juſtices of the Peace in or for the ſaid City of *New Sarum* may and ſhall and is and are hereby authorized and empowered to act as a Juſtice or Juſtices of the Peace in the Execution of any of the Powers or Authorities given to any Juſtice or Juſtices of the Peace in and by this Act, notwithſtanding his or their being a Director or Directors, or Truſtee or Truſtees.

Time and Place of holding Firſt Meeting.

XIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Directors and Truſtees ſo nominated, elected,

elected, choſen, and appointed as aforeſaid, or any Five or more of them, to meet, and they are hereby authorized and required to meet and aſſemble together at the Council Houſe within the ſaid City of *New Sarum*, on *Thurſday* in the Week next after the paſſing of this Act, between the Hours of Ten and Twelve of the Clock in the Fore-

Adjournment. noon, in order to put this Act in Execution; and ſhall and may then and from Time to Time afterwards adjourn themſelves to and meet at the Place aforeſaid, or at ſuch other Place or Places within the City of *New Sarum* aforeſaid; and as often as they the ſaid Directors and Truſtees, or any Five or more of them, or in caſe ſo many ſhall not be aſſembled, as any Two or more of them (who it is hereby declared ſhall be ſufficient for the Purpoſes of an Adjournment) ſhall think proper or convenient for putting this Act in Execution, ſo that no Adjournment to be made by leſs than Five Directors and Truſtees ſhall be made for a longer Space of Time than Fourteen Days; and no Adjournment whatever ſhall be made for a longer Space of Time than Twenty-eight Days: And if it ſhall happen that Two Directors and Truſtees ſhall not appear at ſuch firſt or any future Meeting appointed to be held by the ſaid Directors and Truſtees, that then and in every ſuch Caſe the Clerk to the ſaid Directors and Truſtees ſhall adjourn ſuch Meeting to the ſame Day in the next enſuing Week, to be holden at the ſame Place and Hour as the Meeting at which ſuch Adjournment ſhall be made ſhall have been appointed to be holden; and that if ſuch Clerk ſhall neglect, refuſe, or omit to make ſuch Adjournment, or if at any Meeting of the ſaid Directors and Truſtees an Adjournment ſhall be omitted to be made, or if any Adjournment ſhall be made by leſs than Five Truſtees for a longer Space of Time than Fourteen Days, or any Adjournment whatever ſhall be made for a longer Space of Time than Twenty-eight Days, or any wrong Adjournment ſhall be made, that then and in every or either of ſuch Caſes the Meeting of the ſaid Directors and Truſtees ſhall inſtantly be adjourned to the ſame Day in the next enſuing Week, to be then held at the ſame Hour of the Day and at the ſame Place as the Meeting at which ſuch Omiſſion or Miſtake ſhall happen ſhall have been appointed to be held, and ſo from Week to Week until a ſufficient Number of Directors and Truſtees ſhall meet; and the ſaid Directors and Truſtees, or any Five or more of them, ſhall and may, and are hereby required and directed to meet accordingly at the Time and Place of ſuch Adjournment, and proceed to the Execution of this Act: Provided always, that no Adjournment ſhall be made by leſs than Two Directors or Truſtees, or by the Clerk to the ſaid Directors or Truſtees.

Power of calling a Special Meeting in caſe of Neceſſity.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors and Truſtees, or any Five or more of them, of whom the Mayor or One of the Juſtices of the Peace of the ſaid City of *New Sarum* ſhall be one, from Time to Time, as they ſhall ſee occaſion, by an Order under their Hands, to direct the Clerk to the ſaid Directors and Truſtees to ſummon a Meeting of the Directors and Truſtees, at any Place in the City of *New Sarum* aforeſaid, and at any Time not leſs than Three Days after the giving ſuch Summons they ſhall adjudge proper for the Execution of this Act; and the ſaid Directors and Truſtees, or any Five or more of them, ſhall and may meet at

the Time and Place mentioned in such Notice, and shall and may then and there proceed to put this Act in Execution, in such and the like Manner as if the Meeting of the said Directors and Trustees had been regularly adjourned to such Time and Place; any Adjournment, Non-Adjournment, or Wrong-Adjournment of the Meeting of the said Directors and Trustees notwithstanding.

Five Trustees may make Orders at any of their Meetings for carrying this Act into Execution.

XV. And be it further enacted, That the said Directors and Trustees, or any Five or more of them, shall and may from Time to Time at any of their Meetings make such Orders, Rules, and Regulations as to them or the major Part of them present at any such Meeting shall appear necessary for the better and more effectual carrying this Act into Execution, so as such Orders, Rules, and Regulations be not repugnant to the Law of this Realm or any Thing in this Act contained: Provided that such Orders, Rules, and Regulations may be revoked, amended, varied, altered, or made void by the said Directors and Trustees, or any Nine or more of them, at any of their Meetings to be holden by virtue of this Act, in such Manner as they or any Nine or more of them shall think proper.

Nine Trustees may revoke Orders, &c.

President.

The Act to be executed by the Majority of Trustees present at Meetings.

No Act to be valid unless done at a Public Meeting.

Trustees to bear their own Expences at all their Meetings.

Books to be kept and signed by the Clerk, and to be deemed Originals, &c.

Books may be inspected at Meetings by Persons rated or affected by any Order, &c.

XVI. And be it further enacted, That at every Meeting of the Directors and Trustees by virtue of this Act, the Mayor or Recorder of the said City for the Time being, if present, or, in their Absence, the senior Justice of the said City then present, and in case of their Absence, such one of the Directors and Trustees present at such Meeting, as the major Part of them shall appoint, shall preside and be called President, and the Powers and Authorities hereby granted shall be carried into Execution by the major Part of the Directors and Trustees present at such Meeting; and in case of an Equality of Votes, (including his own) such President shall upon all Occasions have another and decisive Vote; and no Act or Order of the said Directors and Trustees shall be valid, unless done or made at some Public Meeting to be held in pursuance and according to the Directions of this Act; and the Directors and Trustees shall at all their Meetings pay their own individual Expences; and the said Directors and Trustees, or any Five or more of them, shall cause to be provided and kept a Book or Books, wherein all Acts, Orders, and Proceedings of the Directors and Trustees at the several Meetings, and all such Rules, Orders, and Regulations as shall be by them made, shall from Time to Time be fairly written and entered by their Clerk, or by such other Person as the President at any Meeting, (in case of the Absence of the said Clerk), shall nominate or appoint to act in the Place or Stead of such Clerk at such Meeting; and such Clerk or other Person to be appointed in his Place or Stead as aforesaid, or the President or Treasurer, shall subscribe his Name at the End of the Proceedings of every such Meeting, and all such Entries so signed by any such Clerk or other Person as aforesaid, shall be deemed Originals, and shall be admitted to be read in Evidence in all Causes, Suits, Indictments, and Actions, touching any Thing done in pursuance or by the Authority of this Act; and all and every such Book and Books shall, at every Meeting of the said Directors and Trustees, be open to the Inspection of any Person or Persons who shall be rated and pay to any Rate or Rates which shall be made in pursuance or by virtue of this Act, or who may be affected by any Order made by the said Directors and Trustees, or any of them, or of his, her, or their

Clerk to produce Books to such Persons at reasonable Times out of Meetings, on being paid One Shilling for the Inspection; and to give Copy of any Order, &c.

Attorney, Solicitor, or other Agent lawfully authorized; and the Clerk to the said Directors and Trustees for the Time being shall, at all reasonable Times, out of the Meetings of the Directors and Trustees, and during any Adjournment thereof, on the Demand of any such Person or Persons, his or their Attorney, Solicitor, or Agent as aforesaid, produce the said Book or Books, and permit the same to be inspected by all or any such Person or Persons' Attorney, Solicitor, or Agent, he, she, or they paying One Shilling for every Inspection; and such Clerk shall within a reasonable Time after Demand give to such Person or Person's Attorney, Solicitor, or Agent, a true Copy of any Order, Minute, Matter, or Thing contained in the said Book or Books, on being paid for the same in Manner following; (that is to say), the Sum of One Shilling where the same shall not exceed the Number of Seventy-two Words; and where the same shall exceed the Number of Seventy-two Words, then at and after the Rate of Four-pence more for every Seventy-two Words after the first Seventy-two Words.

Trustees to appoint Treasurer, Clerk, &c.

XVII. And be it further enacted, That the said Directors and Trustees or any Five or more of them, shall and may by Writing under their Hands at their first or any subsequent Meeting held in pursuance of this Act, appoint One or more Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, and such other Officer or Officers for the Execution of this Act, as they the said Directors and Trustees or any Five or more of them shall think proper; and from Time to Time remove him and them and appoint others as they shall find necessary and convenient; and by and out of the Monies to be raised by virtue of this Act, may and they are hereby empowered to pay such Salaries and Allowances to such Officers and to all other Persons employed by them the said Directors and Trustees in the Execution of this Act, as they shall think reasonable; and the said Directors and Trustees, or any Five or more of them, shall and may take such Security for the due Execution of the respective Offices by such Person and Persons as aforesaid, as the said Directors and Trustees or any Five or more of them shall think proper; and such Person or Persons as is or are hereby made liable to pay the several Rates or Sums of Money hereby granted, shall pay the same to such Collector or Collectors, and all such Officers and Persons so to be appointed as aforesaid shall under their Hands at such Time and Times and in such Manner as the said Directors and Trustees or any Five or more of them shall direct, deliver to such Directors and Trustees true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and also of all the Monies which shall have been by such Officer and Officers or Person and Persons respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to the said Directors and Trustees or any Five or more of them, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall not make or render any such Account, or to deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Directors and Trustees or any Five or more of them, or as they shall direct or appoint, then and in such case

such

ſuch Directors and Truſtees, or any Five or more of them, may and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions, in the Names of ſuch Directors and Truſtees, or any Five or more of them, againſt the Officer or Officers, Perſon or Perſons ſo refuſing or neglecting as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Directors and Truſtees, or by any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the City of *New Sarum* aforeſaid, or of the City or County wherein ſuch Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting as aforeſaid, ſhall be and reſide, ſuch Juſtices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before them, and upon his or their appearing or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtices may, and are hereby authorized and required upon Non-payment thereof, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons offending in the Premiſes reſpectively; and if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money and the Charges of diſtraining and ſelling the ſame, then and in ſuch Caſe ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place, where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Directors and Truſtees, or any Five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, (which Compoſition the ſaid Directors and Truſtees, or any Five or more of them, are hereby empowered to make): Provided always, that no Perſon who ſhall be committed on account of his having no Goods or Chattels, ſhall be detained in Priſon for any Term longer than Six Calendar Months.

Treaſurer, Clerk, or other Officer to deliver up the Books, &c.

XVIII. And be it further enacted, That in caſe any Treaſurer or Treaſurers, Clerk or Clerks, Collector or Collectors, Surveyor or Surveyors, or any other Officer or Officers appointed or to be appointed for the Execution of this Act, ſhall not deliver to the ſaid Directors and Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within Twenty-eight Days next after being thereunto required by any Five or more of them the ſaid Directors and Truſtees, all Books, Papers, and Writings in his or their Cuſtody or Power, relating to the Execution of this Act, then and in ſuch Caſe ſuch Directors and Truſtees, or any Five or more of them, may and they are hereby authorized and empowered to bring or cauſe to be brought any Action or Actions in the Names of ſuch Directors and Truſtees, or any Five or more of them, againſt the Officer or Officers, Perſon or Perſons

ſo

ſo refuſing or neglecting as aforeſaid; or if Complaint ſhall be made by the ſaid Directors and Truſtees, or by any Five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any Two or more of the Juſtices of the Peace for the City of *New Sarum* aforeſaid, or of the City or County wherein ſuch Officer or Officers, Perſon or Perſons ſo refuſing or neglecting as aforeſaid, ſhall be and reſide, ſuch Juſtices may and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons ſo refuſing or neglecting, to be brought before them, and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon ſuch Examination, or in caſe it ſhall appear to ſuch Juſtices by the Confeſſion of the Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Officer or Officers, Perſon or Perſons, and he or they ſhall refuſe to deliver the ſame as aforeſaid, then and in ſuch caſe ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize until he ſhall produce ſuch Books, Papers, and Writings, or until the next General or Quarter Seſſions of the Peace to be held in and for ſuch City or Place; at which ſaid Seſſions it ſhall and may be lawful to and for the Juſtices there aſſembled to enquire into the Circumſtances of the Caſe, by the Examination of the Party ſo committed upon Oath, or upon the Oath of any Witneſs or Witneſſes, and thereupon to make ſuch Order therein as to any further Commitment, for any Time not exceeding Twelve Calendar Months, or otherwiſe, as to them ſhall appear juſt and proper.

Officers under former Acts to hold their Situations until removed.

XIX. Provided always, and be it further enacted, That the Treaſurer, Clerk, Surveyors, Watchmen, and all other Servants and Officers appointed by virtue and in purſuance of the ſaid recited Acts, ſhall hold and enjoy their ſeveral and reſpective Offices and Employments, together with the ſeveral and reſpective Salaries, Gratuities, and Allowances thereto annexed, until he or they ſhall be removed therefrom reſpectively, by the ſaid Directors and Truſtees, or any Five or more of them; and every ſuch Treaſurer, Clerk, Surveyors, Watchmen, and other Servants and Officers, ſhall be ſubject to the like Pains and Penalties and Powers of Removal, and to the like Rules and Regulations as if he, ſhe, or they had been nominated or appointed by virtue of this Act.

No Officer to take any Reward but his Salary;

XX. And be it further enacted, That if any Perſon who, as a Treaſurer' Clerk, Surveyor, or any other Officer or Servant, ſhall be any ways employed by the ſaid Directors and Truſtees in putting this Act or any of the Powers thereof in Execution, ſhall exact, take, or accept any Fee or Reward whatſoever, other than ſuch Salaries, Allowances, and Rewards as ſhall be appointed, allowed, and approved of by the ſaid Directors and Truſtees, or any Five or more of them, for or on account of any Thing done or to be done by virtue of this Act, or on any account whatſoever relative to the putting this Act in Execution; or ſhall anyways be concerned in or intereſted in any Bargain or Contract made or to be made by the ſaid Directors and Truſtees, or any of them, for the Purpoſe of putting this Act in Execution; every ſuch Perſon ſo offending ſhall be incapable of

or be intereſted in any Bargain made by the Truſtees.

of ever ſerving or being employed under this Act, and ſhall over and above forfeit the Sum of One hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record, within Twelve Calendar Months after the Offence committed; in which ſaid Suit no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

For filling up Vacancies in Offices.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors and Truſtees, or any Five or more of them, when and ſo often as any Vacancy or Vacancies ſhall happen in the ſaid Office of Clerk, Treaſurer, or other Officer, or any or either of them, to nominate and appoint under their Hands in the ſaid Book or Books of Proceedings at any Meeting to be holden in purſuance of this Act, ſuch other Perſon or Perſons to ſupply ſuch Vacancy or Vacancies as the ſaid Directors and Truſtees, or any Five or more of them, ſhall think proper; and the ſaid Directors and Truſtees, or any Nine or more of them, ſhall and may at any Meeting to be holden in purſuance of this Act remove or diſplace all or any of the ſaid Officers, and nominate and appoint under their Hands in the ſaid Book or Books of Proceedings ſuch other Perſon or Perſons in the Room of him or them ſo removed or diſplaced, as the ſaid Directors and Truſtees or any Nine or more of them ſhall think proper: Provided always nevertheleſs, that public Notice in Writing ſhall be given of the Intention of the Directors and Truſtees to fill up ſuch Vacancy or Vacancies, or to remove or diſplace ſuch Officer or Officers, and appoint One or more Perſon or Perſons in his or their Room at any ſuch Meeting or Meetings, ſigned by the ſaid Clerk or Treaſurer, or any Five or more of the ſaid Directors and Truſtees for the Time being, and to be affixed upon the Outer Door of the Council Houſe of the ſaid City of *New Sarum*, and upon ſuch other open and Public Places in the ſaid City as the ſaid Directors and Truſtees, or any Five or more of them, ſhall direct or appoint, not leſs than Four Days previous to the Meeting at which ſuch Vacancy or Vacancies is or are intended to be filled up, or ſuch Officer or Officers is or are intended to be removed or diſplaced, and ſome other Perſon or Perſons to be appointed in his or their Room.

For preventing Annoyances in the Streets.

XXII. And be it further enacted, That if any Perſon or Perſons ſhall, upon any of the Foot Ways or Foot Pavements in the ſaid Streets, Lanes, Alleys, or Public Paſſages or Places, run, draw, drive, or carry any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, or Carriage whatſoever, (Bath and Sedan Chairs with ſome Perſon therein excepted) or roll any Caſk, Barrel, Tub or other Package or Parcel (other than for the neceſſary loading or unloading thereof) into, upon, from, or out of any Carriage, for any longer Space than the Extent of the Premiſes in the Occupation of the Perſon from or to whoſe Houſe or Building ſuch Caſk, Barrel, or Tub ſhall be rolled, to ſuch Premiſes adjoining to or having immediate Communication with the Houſe or Building from or to which ſuch Caſk, Barrel, Tub, Package, or Parcel ſhall be rolled, or for any longer Space of Time than ſhall be neceſſary for the rolling the ſame to or from ſuch Buildings or Carriage reſpectively; or if any Perſon ſhall wilfully ride, lead, or drive any Horſe or other Beaſt, or any

any Cattle whatſoever on any of the ſaid Foot Ways or Foot Pavements, other than in caſe of abſolute Neceſſity; or if the Driver of any Waggon, Cart, Sledge, Wheels, or other Carriage, or Part of a Carriage, ſhall in any Part of the ſaid City ride on the Shafts, or in or on any Part of ſuch Waggon, Cart, Sledge, Wheels, or other Carriage, or Part of a Carriage, without Reins; or if any Perſon or Perſons having the Care thereof or driving the ſame (not being a Cart or Caravan driven by a Perſon with Reins and ſitting therein) ſhall ſuffer any Horſe, Aſs, or other Cattle drawing the ſame to go without ſome Perſon on the Side thereof on foot leading or driving the ſame, or ſhall not readily and promptly turn out of the Road on meeting Horſes and Carriages, ſo as to leave proper and ſufficient Room or Space for ſuch Horſes and Carriages; or if any Perſon or Perſons ſhall ſhew or expoſe any Stallion or Stone Horſe in any of the ſaid Streets, Lanes, Alleys, Public Paſſages or Places, (except on *Tueſdays* between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, in the Public Street of the Market Place); or ſhall permit any Bull Dog or Maſtiff Dog, or any ferocious Dog or Bitch to go unmuzzled in any of the ſaid Streets, Lanes, Alleys, Public Paſſages or Places, after Complaint being made upon Oath before any Juſtice or Juſtices of the Peace for the ſaid City, againſt the Owner of any ſuch Dog or Bitch, and Notice given to ſuch Owner accordingly; or ſhall permit or ſuffer any Dog or Bitch whatſoever to be at large within the ſaid City during ſuch Time as the Mayor and Juſtices of the Peace of the ſaid City, or any Two or more of them, ſhall have, by the Public Crier or by any other public Ways or Means, ordered or directed the Dogs within the ſaid City to be tied up or properly ſecured, from an Apprehenſion or on a Suggeſtion to them, or any One or more of them, of the Prevalence of Canine Madneſs; or throw or ſcale at any Cock or Fowl in the Manner called Cock-ſcaling, or ſet up any Cock or Fowl to be thrown or ſcaled at in ſuch Manner; or if any Perſon or Perſons ſhall play at Football in any of the ſaid Streets, Lanes, Alleys, Public Paſſages, or Places; or ſhall make or aſſiſt in making any Fires commonly called Bonfires, or ſhall let off any Gun or Piſtol, or ſet fire to, let off, or throw any Squib, Serpent, Cracker, or other Fireworks within any of the ſaid Streets, Lanes, Alleys, Public Paſſages, or Places; or if any Perſon or Perſons whomſoever ſhall throw, caſt, or lay, or cauſe, permit, or ſuffer to be thrown, caſt, or laid any Rubbiſh, Duſt, Timber, Dirt, Dung, Filth, Carts, Carriages, Tubs, or other Annoyances in any open Street, Lane, or Public Paſſage, Place, or Watercourſe within the ſaid City, before or againſt his, her, or their own Dwelling Houſe or Houſes, Buildings or Walls, or of his, her, or their Neighbour or Neighbours, or other the Inhabitants there, or before or againſt any Church or Church Yard, or other Place whatſoever within the ſaid City; or ſhall expoſe or place any Goods, Wares, or Merchandizes in or upon any of the Foot Ways, Streets, Lanes, or Public Paſſages of the ſaid City; every Perſon offending in any or either of the Caſes aforeſaid, ſhall for the Firſt Offence forfeit and pay any Sum not exceeding Five Shillings, for the Second Offence any Sum not exceeding Ten Shillings, and for the Third and every other ſubſequent Offence any Sum not exceeding Twenty Shillings; to be recovered in ſuch Manner as the Penalties and Forfeitures by this Act inflicted are herein-after directed and authorized to be recovered.

XXIII. And

Occupiers of Houſes to take down Poſts, Signs, &c.

XXIII. And be it further enacted, That from and after the paſſing of this Act, the Water at the Tops or Roofs of all Houſes and other Buildings now or hereafter to be made or built within the ſaid City, (if not conveyed into private Ciſterns or Reſervoirs belonging to ſuch Houſes or Buildings), ſhall be conveyed by Pipes or Spouts to be fixed to the Front or Sides thereof reſpectively, into the common Channels or Drains, within Fourteen Days after a Day to be expreſſed in a Notice in Writing to that Effect, under the Hands of the ſaid Directors and Truſtees, or any Five or more of them, or their Clerk for the Time being, to be for that Purpoſe given to or left with the Owners or Occupiers of ſuch Houſes or Buildings; and that all Waterſpouts, Signs, Sign Poſts, Sign Irons, Shew Boards, Poſts, and Rails, and other Annoyances projecting into, or ſtanding in or near any of the ſaid Footways, which in the Judgment of the ſaid Directors and Truſtees ſhall be inconvenient to or incommode Paſſengers upon any of the preſent or future Foot Ways or Carriage Ways of ſuch Streets, Lanes, Public Paſſages or Places, ſhall within Three Days after a Day to be expreſſed in a like Notice to that Effect, to be for that Purpoſe given to or left with the Owner or Occupier of the Houſes or other Buildings or Land, to whom ſuch Matters and Things as aforeſaid, or any of them, ſhall reſpectively belong, be taken down, filled up, removed, altered, reformed, fixed, effected, or done by and at the Expence of the Owner or Owners thereof reſpectively, under the Inſpection and Direction of the Surveyor appointed or to be appointed by virtue of this Act; and in caſe the reſpective Owners ſhall neglect or refuſe to obey ſuch Notices, and to obſerve and perform the ſeveral Matters and Things hereby reſpectively required to be done, within the Time aforeſaid, then every Perſon ſo neglecting or refuſing ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings for every Week the ſame ſhall ſo remain undone; and then alſo it ſhall be lawful for the ſaid Directors and Truſtees to cauſe the ſame to be taken down, filled up, removed, altered, reformed, and fixed in the Manner and for the Purpoſes aforeſaid, and they ſhall return, or cauſe to be returned to the reſpective Owners thereof, or to be left on the Spot from whence the ſame ſhall be ſo reſpectively removed, or as near thereto as conveniently may be for ſuch Owners, ſo much of ſuch Matters and Things as aforeſaid, as ſhall not be affixed and ſet up, or otherwiſe made uſe of in the Alterations directed by this Act, and the Charges and Expences attending the ſame, ſhall be recovered of the Owners thereof reſpectively in the ſame Manner as the Penalties and Forfeitures inflicted by this Act are hereby directed to be recovered on Non-payment; and if ſuch Owners ſhall cauſe ſuch Matters and Things to be placed, erected, built, or made contrary to the Directions of this Act, every ſuch Owner for every Week he or ſhe ſhall ſo offend, ſhall forfeit and pay any Sum not exceeding Twenty Shillings, or otherwiſe it ſhall be lawful for the ſaid Directors and Truſtees as aforeſaid to order the ſame to be taken down, filled up, removed, or altered, in ſuch Manner as they ſhall think proper, without giving any Notice to the Owner or other Perſon offending therein, and the Charges and Expences attending the ſame ſhall and may be recovered of the Perſon or Perſons ſo offending, in the ſame Manner as is laſt herein-before directed; and if any Cellar Window, Cellar Door, or Under Entry or Kitchen, ſhall be left open after Sunſet, or be opened

opened before Sunrising, without being sufficiently lighted to prevent Accidents therefrom, or shall be suffered to be left open in the Day Time, or in any Case for a longer Time than necessary for the taking, loading, or removing Goods into, from, or out of the same, then and in every such Case the Occupier of such Cellar, Vault, or Under Entry or Kitchen, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Streets to be properly paved.

XXIV. And be it further enacted, That it shall and may be lawful for the said Directors and Trustees, or any Five or more of them, when and so often as they shall think necessary and proper, to order and direct and cause all or any of the present or any future Pavements in the said several Streets, Lanes, Alleys, and other public Passages or Places within the said City of *New Sarum*, (except as herein-after is excepted), as well in those Parts used by Carriages as those used by Foot Passengers, to be taken up, and the said Streets, Lanes, Alleys, and other public Passages or Places to be flagged, paved, relaid, repaired, raised, lowered, or altered in such Manner, as the said Directors and Trustees shall think proper; and the Person and Persons authorized or directed by them to do the same hath and have and shall have hereby full Power and Authority to do the same accordingly; and all and every Person and Persons, public Officer or Officers, or Inhabitants at large of the said City of *New Sarum*, who was or were before the passing of this Act liable to repair and maintain the aforesaid present Pavements, or any Part of them, (except as herein-after mentioned) shall from henceforth be exonerated and discharged from repairing and maintaining the same: Provided always, that nothing herein contained shall extend or be construed to extend to exonerate and discharge any Person or Persons, public Officer or Officers, nor the Inhabitants at large of the said City of *New Sarum* from repairing, amending, and maintaining at his, her, or their own Expences such Part and Parts of the present Pavements as he, she, or they hath or have heretofore repaired, amended, and maintained, or would have been liable to repair, amend, and maintain, (except as far only as relates to the Footways on each Side thereof, and the Flagging of the same), in case this Act had not been made.

Trustees to ascertain such Parts as are to be repaired by Individuals.

XXV. Provided always, and be it further enacted, That it shall be lawful for the said Directors and Trustees, or any Five or more of them, to ascertain, set out, order, and appoint the said several Parts, Shares, and Proportions of the said Pavements, (except the Footways on the Sides thereof as aforesaid, which have been heretofore paved, amended, repaired, swept, or cleansed by any Person or Persons, public Officer or Officers, or Inhabitants at large of the said City of *New Sarum*); and that all such Parts, Shares, and Proportions shall from Time to Time and at all Times hereafter be paved, amended, and kept in Repair, and shall be swept and cleansed by the said several Person or Persons, public Officer or Officers, or Inhabitants at large of the said City of *New Sarum*, so liable to repair, amend, cleanse, and sweep the same as aforesaid, or his, her, or their Tenants, Farmers, or Occupiers, in such Manner and Form, at such Times, and under and subject to such Orders, Rules, Regulations, and Appointments, as they the said Directors and Trustees, or any Five or more of them, shall order, direct, and appoint; and in case any such Person or Persons, public Officer or Officers, or Inhabitants

bitants at large of the ſaid City as aforeſaid, or any of them, or his, her, or their Tenants, Farmers, or Occupiers, or any of them, ſhall refuſe or neglect to repair, amend, cleanſe, and ſweep the ſame Pavements, or ſuch Part or Parts thereof as he, ſhe, or they are reſpectively liable and directed ſo to do, for the Space of Seven Days as to repairing, and Two Hours as to cleanſing, after Notice in Writing under the Hands of the ſaid Directors and Truſtees, or any Five or more of them, ſhall be given to ſuch Defaulter or Defaulters, or left at his, her, or their uſual Place of Abode, then and in ſuch Caſe it ſhall be lawful for the ſaid Directors and Truſtees, and they are hereby authorized and required to order and direct, and cauſe the ſame to be forthwith by their own Workmen repaired and amended with their own Materials, and to be cleanſed and ſwept, and to charge the full Expences thereof to and upon ſuch Defaulter or Defaulters, and every ſuch Defaulter ſhall, for every ſuch Neglect, forfeit and pay any Sum not exceeding Twenty Shillings; and in caſe ſuch Defaulter or Defaulters ſhall refuſe or neglect to pay ſuch Expences, together with the ſaid Fine, within Seven Days after the ſame ſhall be demanded by the Collector or Collectors, that then and in every ſuch Caſe the ſame Expences, together with the ſaid Fine, ſhall be recovered and recoverable in the ſame Manner as is herein-after directed for the Recovery and Application of Penalties.

Pavements not to be altered without Conſent of Truſtees.

XXVI. And be it further enacted, That if any Perſon or Perſons ſhall at any Time take up the ſaid Pavements and Flagging, or any Part of the ſame reſpectively, or make or cauſe to be made any Alteration, or make any freſh Openings into any Tunnel, Gutter, Sink, Drain, Sewer, or Watercourſe, in any Street, Lane, Alley, Public Paſſage, or other Place in the ſaid City, without the previous Conſent in Writing of the ſaid Directors and Truſtees, or any Two or more of them, every ſuch Perſon ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings; and in caſe the Perſon or Perſons ſo taking up any ſuch Pavement or Flagging, or any Part of the ſame reſpectively, or any ſuch Tunnel, Gutter, Sink, Drain, Sewer, or Watercourſe, ſhall not within Two Days after Notice in Writing by the Surveyor to the ſaid Directors and Truſtees given to or left at the laſt or uſual Place or Places of Abode of ſuch Perſon or Perſons, cauſe the ſame Pavement and Flagging reſpectively which ſhall have been ſo taken up to be reinſtated, and the Tunnel, Gutter, Sink, Drain, Sewer, or Watercourſe ſo altered, to be put into its former State, then and in every ſuch Caſe it ſhall be lawful for the Surveyor to the ſaid Directors and Truſtees to cauſe the ſame reſpectively to be ſo done, the Coſts and Charges whereof ſhall be borne and paid by the Perſon or Perſons who ſhall have taken up or altered ſuch Pavement or Flagging, Tunnel, Gutter, Sink, Drain, Sewer, or Watercourſe, or any Part thereof reſpectively; and in caſe of Non-payment thereof on Demand, ſuch Coſts and Charges ſhall and may be levied and recovered in ſuch and the like Manner as any Penalty is by this Act directed to be levied and recovered.

Sewers, &c. to be made.

XXVII. And be it further enacted, That the ſaid Directors and Truſtees, or any Five or more of them, ſhall cauſe ſuch and ſo many Sewers, Drains, Vaults, or other Watercourſes, as they may think neceſſary and ſufficient for the more effectually cleanſing and draining of the ſaid City,

to be dug and made in, along, or acroſs any of the Streets, Lanes, Alleys, and other Public Paſſages or Places, and along and acroſs any Yards, Lands, or Grounds, or under any Buildings within the City of *New Sarum* aforeſaid; and alſo any of the Sewers and Public Drains and Vaults which now or hereafter ſhall be within the ſaid City, to be enlarged, widened, deepened, raiſed, altered, removed, repaired, cleanſed, and ſcoured, when and as often as to them the ſaid Directors and Truſtees, or any Five or more of them ſhall ſeem meet; and for any of the Purpoſes aforeſaid ſhall from Time to Time cauſe to be dug, carted, and carried out of or brought into the ſaid Streets, Lanes, Alleys, and other Paſſages or Places, or any of them, ſuch Gravel, Stone, Bricks, and other Materials as they ſhall judge neceſſary; and alſo ſhall and may cauſe ſuch and ſo many Bridges, Arches, Tunnels, Gates, or Openings to be made over or in the ſame for conveying and carrying off the Filth, foul and other Water from the Houſes built or to be built adjoining to ſuch Streets, Lanes, Public Paſſages or Places in the City of *New Sarum* aforeſaid, into the ſaid Sewers, Public Drains, and Vaults, and other Watercourſes, as the ſaid Directors and Truſtees or any Five or more of them ſhall and may think neceſſary and expedient for that Purpoſe; and the ſaid Truſtees or any Five or more of them are hereby authorized and empowered either to purchaſe ſuch Ground as ſhall be neceſſary for making or enlarging ſuch Public Drains or Sewers, or make ſuch Satisfaction for ſuch Injury as may be done thereto in ſuch Manner in every Reſpect as is in this Act directed for the purchaſing of Lands for effectuating any of the Purpoſes of this Act: Provided always, that no Sewer, Drain, Vault, or other Watercourſe ſhall be made under any Dwelling Houſe or Office thereto belonging, or any Warehouſe uſed for the Stowing of Goods or other private Property whatſoever, without the Conſent of the Owner thereof.

Private Drains to be cleanſed.

XXVIII. And be it further enacted, That all Private Drains, Sewers, or Watercourſes, with the Bridges, Arches, and Tunnels, over or in the ſame, which now are or which ſhall hereafter be made within the City of *New Sarum* aforeſaid, and which do or ſhall iſſue into any of the Public Drains, Sewers, Vaults, or Watercourſes, ſhall be repaired, deepened, widened, altered, or cleanſed, under the Inſpection and Direction of the Surveyor, or other proper Officer of the ſaid Directors and Truſtees, at the Coſts and Charges of the Owner or Owners, Occupier or Occupiers, of the Lands and Tenements, to which the ſaid Private Drains, Sewers, or Watercourſes do or ſhall belong.

Foot Pavements to be ſwept.

XXIX. And be it further enacted, That all and every Perſon and Perſons inhabiting any Houſe or other Building within the ſaid City of *New Sarum* ſhall from and after the Second *Monday* next after the paſſing of this Act ſweep and cleanſe or cauſe to be ſwept and cleanſed the Foot Pavement before their reſpective Houſes, Buildings, and Walls, on *Wedneſday* and *Saturday* in every Week before Ten of the Clock in the Morning, or oftener if thereunto required by the ſaid Directors and Truſtees or any Five or more of them, or their Surveyor or Surveyors for the Time being, upon Pain of forfeiting any Sum not exceeding Two Shillings for every Neglect therein.

XXX. And

Fixing a Time for emptying Privies.

XXX. And be it further enacted, That if any Perſon or Perſons ſhall empty any Neceſſary Houſe or Privy at any other Time than between the Hours of Eleven of the Clock at Night and Six of the Clock in the Morning, or ſhall wilfully ſpill any of the Soil of any Neceſſary Houſe or Privy in any of the ſaid Streets, Lanes, Ways, Paſſages, or Public Places, every ſuch Perſon or Perſons ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for laying Aſhes in the Streets.

XXXI. And be it further enacted, That no Perſon or Perſons whomſoever ſhall throw, caſt, or lay, or cauſe, permit, or ſuffer to be thrown, caſt, or laid, any Manure, Aſhes, (except as herein-after excepted) Duſt, Dirt, Soil, or other Filth whatſoever, before any Dwelling Houſe, Shop, Stable, Building, or Wall, in any of the Streets, Lanes, Alleys, Public Paſſages or Places within the ſaid City, but ſhall keep or cauſe the ſame to be kept in their reſpective Houſes or Yards until ſuch Time as the Perſon or Perſons contracted with or employed to carry away ſuch Manure, Aſhes, Duſt, Dirt, Filth, or Soil, do come by or near their Houſes, Doors, or Places where they dwell, with a Cart or Carts or other Conveniences for carrying away the ſame, upon Pain of forfeiting for every ſuch Offence any Sum not exceeding Ten Shillings: Provided always, that nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to prevent any Perſon from throwing or laying any Aſhes or Duſt for the Safety of Foot Paſſengers during the Time of hard Froſt, on any of the Footpaths in any of the Streets, Lanes, Paſſages, or Public Places in the ſaid City.

Truſtees to order Lamps to be ſet up.

XXXII. And be it further enacted, That it ſhall be lawful for the ſaid Directors and Truſtees, or any Five or more of them, and they are hereby authorized and empowered from Time to Time, and at any Time hereafter, to purchaſe and provide ſuch and ſo many Glaſs Lamps of ſuch Sorts and Sizes, and alſo ſuch and ſo many Lamp Irons and Lamp Poſts as they ſhall judge neceſſary, and to direct the ſame to be affixed or ſet up upon or againſt the Walls or Palliſades of all or any of the ſeveral Houſes or Buildings or in or upon ſuch other Places within the ſaid City of *New Sarum*, and to be altered, taken down, or renewed in ſuch Manner as they ſhall think fit, and to cauſe ſuch Lamps, or any of them, to be lighted at ſuch Seaſons of the Year on ſuch Evenings, and in ſuch Hours of the Evening, and to be kept burning for ſo many Hours as ſhall to them ſeem neceſſary or proper, for the well and ſufficiently lighting of all or any Part of the ſaid Streets, Lanes, Alleys, and Public Paſſages in the ſaid City.

Pavements, Lamps, &c. veſted in Truſtees.

XXXIII. And be it further enacted, That all the preſent and future Pavements, Flag Stones, and Curb Stones, in the ſeveral Streets, Lanes, Alleys, and Public Paſſages or Places within the ſaid City of *New Sarum*, and the Stones, Gravel, and other Materials of which, as well the Foot Ways as Carriage Ways of ſuch Streets, Lanes, Alleys, and Public Paſſages or Places do and ſhall conſiſt, and alſo all Gutters, Sinks, Sewers, Grates, Tunnels, Soughs, Lamps, and Covers to the Lamps, Lamp Irons, Lamp Poſts, Watch Boxes, Watch Houſes, Houſes, Buildings, and all other Erections, Matters, and Things whatſoever, which ſhall be erected, fixed up, made, or procured by virtue of this Act, by

the ſaid Directors and Truſtees, and all Materials, Implements, and other Things which ſhall be purchaſed or provided by the ſaid Directors and Truſtees, for the Purpoſes of this Act, ſhall belong to and be the Property of, and the ſame is and are hereby veſted in the ſaid Directors and Truſtees; and the ſaid Directors and Truſtees ſhall and may cauſe to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Caſe may require) againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſeveral Articles and Things hereby veſted in them the ſaid Directors and Truſtees as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be ſufficient to ſtate generally, that the Article or Articles, Thing or Things, for or on account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Goods and Chattels of "The Directors and Truſtees for repairing and paving the Highways, Streets, and Watercourſes within the City of *New Sarum*," without particularly mentioning or ſpecifying the Name or Names of all or any of ſuch Directors and Truſtees, and the ſaid Directors and Truſtees ſhall have full Power and Authority from Time to Time to ſell and diſpoſe of, for the Purpoſes of this Act, all or any of the ſaid Articles and Things, or any Part or Parts thereof, to ſuch Perſon or Perſons, and in ſuch Manner as they the ſaid Directors and Truſtees ſhall think proper, and if any Perſon or Perſons ſhall wilfully or maliciouſly break up, injure, deſtroy, or otherwiſe damage any of the Articles or Things hereby veſted in them the ſaid Directors and Truſtees, or any of the Works done by them in purſuance of this Act, every ſuch Perſon or Perſons ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, over and beſides the Damages and Expences of repairing and amending the ſame, which ſaid Penalty, together with the ſaid Damages and Expences, ſhall be recovered in the ſame Manner as is herein-after directed for the Recovery and Application of Penalties.

Penalty for wilful Damage to Lamps.

XXXIV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully take away, break, throw down, diſplace, or damage any Lamp or Lamps already ſet up, or that ſhall be ſet up by virtue of this Act by Order of the ſaid Directors and Truſtees, or by any Perſon or Perſons at his, her, or their own Expence for the Purpoſe of lighting the ſaid Streets, Lanes, Alleys, and Public Paſſages or Places, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or ſhall throw down or damage the Poſts, Irons, Cover, or other Furniture of any ſuch Lamp, it ſhall be lawful for any Perſon or Perſons whomſoever who ſhall ſee any ſuch Offence committed to ſeize, and alſo for any other Perſon or Perſons whomſoever to aſſiſt in ſeizing the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them into the Cuſtody of a Watchman or of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid City of *New Sarum*, and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information or Evidence touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted either by his, her, or their Confeſſion, or upon ſuch Information or Evidence as aforeſaid, then and

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in every such Case he, she, and they shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall moreover pay such Sum or Sums of Money as shall be deemed by such Justice to be a full Satisfaction for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeitures and also such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the Common Gaol or House of Correction of and for the said City of *New Sarum*, there to be kept to hard Labour for any Space of Time not exceeding One Calender Month; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and satisfied.

Satisfaction for accidental Damage to Lamps, &c.

XXXV. And be it further enacted, That in case any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or damage any Lamp or Lamps hung out and set up by order of the said Directors and Trustees, or by any Person or Persons at his, her, or their private Expence, or the Posts, Irons, Covers, or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any Justice of the Peace for the City of *New Sarum* aforesaid upon Complaint to him made by the Person or Persons aggrieved, and proved by one or more credible Witness or Witnesses, to summon before him the Party or Parties who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegation and Proofs on both Sides, or on the Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money by way of Satisfaction to the said Directors and Trustees, or to the other Owner or Owners of such Lamp or Lamps, as the Case shall be, for such Damages as such Justice shall think reasonable; and in case of Neglect or Refusal to pay any Sum or Sums of Money so awarded within Three Days after Demand, it shall be lawful for such Justice, and he is hereby required to cause the same to be levied and applied in the same Manner as any Fines, Penalties, and Forfeitures are by this Act directed to be levied and applied.

Power of Trustees to appoint Watchmen.

XXXVI. And be it further enacted, That the said Directors and Trustees, or any Five or more of them, shall, and they are hereby required from Time to Time, to appoint such Number of able-bodied Men as they shall judge proper, to be employed as Watchmen within the said City during the Night Time, and to provide proper Watch Houses, Watch Boxes, or Places for the Reception of such Watchmen, and for the safe Custody of such Persons as may be apprehended by such Watchmen while on Duty, and to pay such Watchmen reasonable Wages or Allowances, and also to appoint One or more fit Person or Persons in the Stead of any Watchman or Watchmen who shall die or become incapable of doing his Duty, or who shall be discharged from his or their Office for Neglect of Duty or other Misbehaviour in Office, and also to impose from Time to Time any Fine not exceeding Five Shillings on any Watchman or Watchmen for every such Neglect or other Misbehaviour, such Fine to be deducted out of the Wages of such Watchman or Watchmen, and from Time to Time to make such Orders and Regulations as they the said Directors and Trustees, or any Five or more of

of them, ſhall judge expedient for the better Government of the Watchmen to be ſo appointed, and to repeal ſuch Orders and Regulations, or any of them, and to ſubſtitute others inſtead thereof; and it ſhall be lawful for ſuch Watchmen, and they are hereby required in their reſpective Stations, to apprehend and ſecure in ſome proper Place or Places of Security, to be for that Purpoſe appointed within the ſaid City, all Nightwalkers, Rogues, and other diſorderly Perſons and Diſturbers of the Public Peace, and all ſuſpected Perſons who ſhall be found wandering or miſbehaving themſelves during the Hours of keeping Watch, and to conduct all ſuch Perſons as ſoon as conveniently may be before the Sub-Conſtable of the Night, or before ſome Juſtice of the Peace for the ſaid City of *New Sarum*, to be examined and dealt with according to Law; and the ſaid Watchmen during the Time they ſhall reſpectively act as ſuch in the Night ſhall act as Conſtables, and they and every of them ſhall have and be inveſted with the ſame Powers and Authorities as the Sub-Conſtables of the ſaid City have by Law.

Sub-Conſtables to attend and keep Watch.

XXXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Directors and Truſtees, or any Five or more of them, ſhall, with all convenient Speed, cauſe a true Copy or Tranſcript of all ſuch Orders and Regulations, as ſhall be made from Time to Time concerning the Watch for the better Direction and Government of the Watchmen, to be appointed to be delivered to the Sub-Conſtables for the Time being of the ſaid City, and to every of them; and that from and after the Second *Monday* next after the paſſing of this Act, One of the ſaid Sub-Conſtables for the Time being ſhall attend every Night by Turns, and ſhall keep Watch within the ſaid City, at the Places they ſhall reſpectively be appointed as aforeſaid, from the Hours of Eleven of the Clock in the Evening till Five of the Clock in the Morning, from the ſaid Second *Monday* next after the paſſing of this Act, until the Twenty-ninth Day of *September* One thouſand eight hundred and fifteen, and from the Hours of Ten of the Clock in the Evening till Six of the Clock in the Morning from the ſaid Twenty-ninth Day of *September* One thouſand eight hundred and fifteen, till the Twenty-fifth Day of *March* following, and ſo yearly and every Year afterwards, from Eleven of the Clock in the Evening until Five of the Clock in the Morning, from the Twenty-fifth Day of *March* to the Twenty-ninth Day of *September*, and from Ten of the Clock in the Evening until Six of the Clock in the Morning from the Twenty-ninth Day of *September* to the Twenty-fifth Day of *March* following, and ſhall in their ſeveral Turns or Courſes of Watching uſe their beſt Endeavours to prevent as well all Miſchiefs happening by Fire, as all Murders, Burglaries, and other outrageous Diſorders, and to that End ſhall arreſt and apprehend all Nightwalkers, Rogues, and other diſorderly Perſons and Diſturbers of the Public Peace, and all ſuſpected Perſons, and all other Perſons who ſhall be found wandering or miſbehaving themſelves, and ſhall carry the Perſons who ſhall be ſo apprehended, as ſoon as conveniently may be, before the ſaid Mayor, Recorder, or One of the Juſtices of the Peace for the ſaid City, to be examined and dealt with according to Law, and ſhall twice, or oftener, at convenient Times in every Night, go about their reſpective Wards, Precincts, or Stations, and take Notice whether all the Watchmen perform their Duties in their ſeveral Places and Stations, according to ſuch Orders and Regulations as

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ſhall be made for that Purpoſe; and in caſe any ſuch Watchman or Watchmen ſhall miſbehave himſelf or themſelves, or neglect his or their Duties, the ſaid Sub-Conſtable ſhall give Notice thereof to the Directors and Truſtees at their next Meeting, in order for the Examination and Puniſhment of ſuch Offence: Provided always, that it ſhall and may be lawful to and for the ſaid Directors and Truſtees (if they ſhall think proper ſo to do) to pay to ſuch Sub-Conſtables ſuch Compenſation for their Time and Trouble as to the ſaid Directors and Truſtees, or any Five or more of them, ſhall appear juſt and reaſonable; and the ſaid Sub-Conſtables ſhall commence their Turns of keeping Watch and Ward within the ſaid City, in ſuch Order as the Mayor of the ſaid City of *New Sarum* ſhall, under his Hand, direct and appoint.

Penalty on Victuallers harbouring any Watchmen while on Duty.

XXXVIII. And be it further enacted, That if any Victualler or Keeper of any Public Houſe or any other Perſon, ſhall knowingly harbour or entertain, or ſuffer to remain in his or her Houſe, any Watchman of the ſaid City as aforeſaid, during any Part of the Time appointed for his being on Duty, every ſuch Victualler or Keeper or other Perſon ſhall, on Conviction, forfeit and pay for the firſt Offence any Sum not exceeding Five Pounds, and for the Second and every other Offence of the ſame kind, any Sum not exceeding Ten Pounds.

Power to reward Watchmen diſabled.

XXXIX. And be it further enacted, That it ſhall be lawful for the ſaid Directors and Truſtees to give ſuch Rewards in Money to the Sub-Conſtables and Watchmen reſpectively, to be appointed as aforeſaid, who may be diſabled or wounded in the Execution of their Office, as the ſaid Directors and Truſtees ſhall think reaſonable, ſuch Money to be paid out of the Monies to be raiſed for the Purpoſes of this Act.

The Ground of Houſes or Buildings taken down to be incloſed.

XL. And be it further enacted, That the Ground or Place whereon any Houſe or Houſes, Wall or Building within the ſaid City of *New Sarum* formerly or lately ſtood, and which is or are now or at any Time hereafter ſhall be wholly or in part taken down, and every Houſe, Wall, or Building now making or building within the ſaid City, ſhall, by the Owners or Occupiers of ſuch Ground, Place, Houſe, or Building, immediately after the paſſing of this Act, be fenced and incloſed, and that the Ground on which any Houſe or Building ſhall hereafter be built or taken down, either wholly or in part, until the ſame ſhall be rebuilt, ſhall likewiſe be fenced and incloſed at the Expence of ſuch Owners or Occupiers reſpectively, in ſuch Manner as the Directors and Truſtees ſhall think proper or neceſſary, in order to keep the Footways and Carriageways before or behind or belonging to the ſame, as open and free from Impediment as the Nature of the Caſe will admit of, and effectually to guard and protect all Perſons paſſing by or near the ſame, or any Part thereof, from Damage or Accident from or in conſequence of any Hole, Vault, Area, Timber, Stones, Materials, or Things made, brought, placed, or uſed, in, about, or relating to ſuch Ground, Place, Houſe, or Building now made or built, or which ſhall hereafter be made or built within the City of *New Sarum* aforeſaid, which ſhall be taken down either in whole or in part, or which ſhall be altered or repaired, or added to or begun to be altered, repaired, or added to, whereby or in conſequence whereof the Carriageway and Footway before, behind, or belonging to ſuch Houſe, Wall, or Building, or either of the ſaid

Ways,

Ways, ſhall be in any Manner obſtructed or rendered dangerous to or unſafe for, or expoſe any Perſon paſſing by or near ſuch Houſe, Wall, or Building or any Part thereof, to Danger or Accident as laſt mentioned, ſhall be in-like Manner fenced and incloſed by and at the Expence of the reſpective Owners or Occupiers thereof, and the Fences and Incloſures to be made in reſpect of any Houſe, Wall, or Building, which ſhall or may hereafter be taken down, altered, repaired, or added to, ſhall be made before ſuch Houſe, Wall, or Building, ſhall be begun to be altered, repaired, or added to; and all the Fences and Incloſures hereby directed to be made for all or any of the Purpoſes aforeſaid, ſhall be continued ſtanding and in good Condition during ſuch Time as the ſaid Directors and Truſtees ſhall order and direct; and if the Owner of ſuch Ground, Place, Houſe, Wall, or Building as aforeſaid, ſhall refuſe or neglect to erect and ſet up any ſuch Fence or Incloſure as aforeſaid, then and in either of the ſaid Caſes every ſuch Owner ſhall, for every Day ſuch Offence ſhall be continued, forfeit and pay any Sum not exceeding Twenty Shillings, and in caſe of ſuch Refuſal or Neglect it ſhall be lawful for the ſaid Directors and Truſtees to cauſe ſuch Ground, Place, Houſe, Wall, or Building, to be well and ſufficiently fenced and incloſed as aforeſaid, or the Fence or Incloſure then erected and ſet up, to be well and ſufficiently repaired, as the Caſe ſhall require, and ſuch Fence or Incloſure to be ſo continued ſtanding as aforeſaid; and the Perſon or Perſons ſo refuſing or neglecting as aforeſaid, ſhall over and above the ſaid Penalty pay all ſuch Charges and Expences of making ſuch Fences and Incloſures, or repairing the ſame upon Demand, made by the ſaid Directors and Truſtees, or by their Clerk, and upon Refuſal may, together with the Coſts attending the Recovery thereof, be recovered in ſuch Manner as the Penalties and Forfeitures by this Act inflicted are herein-after directed and authorized to be recovered.

Lights to be fixed for preventing Accidents.

XLI. And be it further enacted, That if at any Time hereafter any Stones, Timber, Mortar, Rubbiſh, Materials, or other Things ſhall be laid or placed, or any Hole or Opening ſhall be made in any of the Streets, Lanes, Alleys, or public Paſſages or Places already made or built, or which ſhall hereafter be made or built within the ſaid City for any Purpoſe whatſoever, not prohibited by nor contrary to the Intent and Meaning of this Act, the Owner of ſuch Stones, Materials, or other Things, or the Perſon or Perſons cauſing ſuch Hole or Opening as aforeſaid to be made, ſhall, at his, her, or their own Expence, cauſe a Light to be fixed in or near the ſame reſpectively for ſecuring Paſſengers and Cattle from Accidents, every Night from Sun-ſetting to Sun-riſing during the Time ſuch Stones or other Materials, Hole or Opening ſhall remain; and alſo if the ſaid Directors and Truſtees ſhall think proper and direct, ſhall at his, her, or their own Expence cauſe ſuch Stones, Materials, or other Things, Holes, or Openings, or either of them (as the Caſe may be) to be fenced and incloſed in ſuch Manner as the ſaid Directors and Truſtees ſhall think proper, and continue the ſame ſo fenced and incloſed until the Stones, Materials, or other Things, or Hole or Opening (as the Caſe may be) ſhall be removed or filled up, and in Default thereof ſhall forfeit and pay any Sum not exceeding Ten Shillings for every Day or Night ſuch Neglect or Default ſhall be continued; and the ſaid Directors and Truſtees on ſuch Default being made are hereby empowered to cauſe ſuch Light to be affixed, and to fence

and incloſe ſuch Stones, Materials, and Things, or Hole or Opening, and continue the ſame ſo fenced and incloſed, and charge ſuch Owners or other Perſon or Perſons as aforeſaid with the Expences thereof reſpectively, and to recover ſuch Expences on Refuſal to pay the ſame to the ſaid Directors and Truſtees, and the Expences attending ſuch Recovery in the ſame Manner as is mentioned in the Caſe of Fences and Incloſures to be made in taking down or altering any Houſe or Building as hereinbefore mentioned.

Lands to be purchaſed.

XLII. And be it further enacted, That the ſaid Directors and Truſtees ſhall have Power and Authority to agree with the Proprietors of and Perſons intereſted in any Lands, Tenements, Buildings, Erections, and Hereditaments which the ſaid Truſtees ſhall judge neceſſary and expedient to be cut, dug, pulled down, thrown up, carried away, damaged, or otherwiſe made uſe of, or for the Purpoſe of digging and procuring Stone, Gravel, or Sand for the Purpoſes of this Act, or for the laying and placing the Dirt, Duſt, Aſhes, Rubbiſh, and Filth collected within the ſaid City for the Purchaſe of ſuch Lands, Tenements, Buildings, and Hereditaments, or for the Recompence to be made to ſuch Proprietors and Perſons intereſted for the Damage they may ſuſtain; and alſo to ſettle and aſcertain in what Proportion the Sum or Sums ſo agreed ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and it ſhall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, and Feoffees in Truſt, Committees, Executors, and Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or any other Perſon or Perſons, and to and for all Femes Covert who are or ſhall be ſeized in their own Right, and to and for all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeized, poſſeſſed of, or intereſted in any ſuch Lands, Tenements, Buildings, or Hereditaments, to contract for, ſell, and convey, aſſign and ſurrender unto the ſaid Directors and Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, any Lands, Tenements, Buildings, or Hereditaments for the Purpoſes aforeſaid, or to agree with the ſaid Directors and Truſtees for any Recompence to be made for the Damage which may be done to any ſuch Lands, Tenements, Buildings, or Hereditaments by the Execution of any of the Powers of this Act; and all ſuch Contracts and Agreements, Sales, Conveyances, Aſſignments, Surrenders, and Aſſurances ſhall be valid and effectual in the Law to all Intents and Purpoſes whatſoever, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Truſt, Property, Claim, and Demand whatſoever of their ſeveral and reſpective *Ceſtuique* Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſons whomſoever, and all claiming or to claim by, from, or under them; any Law, Statute, Uſage, Cuſtom, or any other Matter, or Thing whatſoever to the contrary notwithſtanding; and all Bodies Politic, Corporate or Collegiate, and all Perſons whomſoever, are hereby indemnified for what they or any of them ſhall do in the Premiſes purſuant to this Act.

Contracts, &c. to be lodged amongſt the Records of the Court of Seſſions of the ſaid City.

XLIII. And be it further enacted, That all Agreements, Contracts, Sales, and Conveyances, which ſhall be made in relation to any ſuch Lands, Tenements, Buildings, or Hereditaments as aforeſaid, ſhall be copied into the Book or Books of the ſaid Directors and Truſtees, and be lodged for ſafe Cuſtody among the Records of the Court of Seſſions of the ſaid City with the Clerk of the Peace or his Deputy, who ſhall give to the ſaid Directors and Truſtees a Receipt for the ſame when they ſhall be ſo lodged, which Receipt ſhall be preſerved by the ſaid Clerk to the ſaid Directors and Truſtees, and ſhall alſo be copied into the ſaid Directors and Truſtees Book or Books, and the ſaid Clerk of the Peace or his Deputy, and Clerk to the ſaid Directors and Truſtees, ſhall permit and ſuffer any Perſon or Perſons from Time to Time and at all Times within the Office Hours of Attendance, to peruſe and inſpect the ſaid Originals and Copies reſpectively, upon paying for every ſuch Peruſal and Inſpection the Sum of One Shilling and no more; and the ſaid Clerk of the Peace or his Deputy, and Clerk to the ſaid Directors and Truſtees ſhall within a reaſonable Time after Demand, give to ſuch Perſon or Perſons a true Copy of ſuch Agreements, Contracts, Sales, and Conveyances, on being paid for the ſame in Manner following; (that is to ſay), the Sum of One Shilling where the ſame ſhall not exceed the Number of Seventy-two Words, and where the ſame ſhall exceed the Number of Seventy-two Words, then at and after the Rate of Four-pence more for every Seventy-two Words after the firſt Seventy-two Words.

Upon Payment of the Value agreed, the Eſtate to be conveyed.

XLIV. And be it further enacted, That upon Payment of the Sum or Sums of Money ſo to be contracted or agreed for as aforeſaid, after ſuch Deduction as aforeſaid to the Perſon or Perſons to whom the ſame ſhall be ſo agreed to be paid for the Purchaſe of the ſaid Lands, Tenements, Buildings, or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſuch Perſon or Perſons ſhall make and execute or cauſe or procure to be made and executed, good, valid, and legal Conveyances, Surrenders, Aſſignments, and Aſſurances in the Law to the ſaid Directors and Truſtees, and their Succeſſors in Truſt for the Purpoſes hereby intended, or any Perſon or Perſons in Truſt for them of the ſaid Lands, Tenements, Buildings, and Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo agreed to be paid, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Surrenders, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things neceſſary and requiſite to make and derive a good, clear, and perfect Title thereto to the ſaid Directors and Truſtees, and their Succeſſors in Truſt, for effecting the Purpoſes hereby intended; and ſuch Conveyances, Surrenders, Aſſignments, and Aſſurances, ſhall contain all ſuch reaſonable and uſual Covenants as ſhall on the Part of the ſaid Directors and Truſtees be required.

Immediately after Conveyances, Eſtates to veſt in Truſtees.

XLV. And be it further enacted, That immediately after the Execution of ſuch Conveyances, Surrenders, Aſſignments, and Aſſurances ſo entered and enrolled as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand in Law and Equity of the Perſon or Perſons thentofore intereſted in the Lands, Tenements, Buildings, Hereditaments, and Premiſes to be purchaſed as aforeſaid, ſhall veſt in the Directors and Truſtees for the Time being, for executing this Act, in Truſt

Truſt for effecting the Purpoſes hereby intended, and they ſhall be deemed in Law to be in the actual Seiſin or Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale enrolled in any of His Majeſty's Courts at *Weſtminſter*, Feoffment with Livery of Seiſin, Fine, Common Recovery, Surrender, or any other Conveyance or Aſſurance whatſoever, and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand of the Perſon or Perſons to whoſe Credit ſuch Payment ſhall have been made, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail and other Eſtates in Poſſeſſion, Reverſion, Remainder or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as Fines or Common Recoveries would do if levied or ſuffered by the proper Parties in due Form of Law.

Application of Compenſation Money when exceeding 200 l.

XLVI. And be it further enacted, That if any Money ſhall be agreed to be paid for any Lands, Tenements, Buildings, or other Hereditaments purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, "*ex parte* the Directors and Truſtees for executing this Act," to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made under a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, Buildings, or other Hereditaments in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, Buildings, or other Hereditaments, or affecting other Lands, Tenements, Buildings, or other Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, Buildings, or other Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, Buildings, or other Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made the ſaid Money ſhall, by Order of the Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Annuities ſhall be ordered by the ſaid Court to be ſold

for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money does not exceed 200 l. and is above 20 l.

XLVII. Provided always, and be it further enacted, That if any Money ſo agreed to be paid for any Lands, Tenements, Buildings or other Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation or to any Perſon or Perſons under Di ability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon for the Time being entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and to be placed to his Account as aforeſaid, in order to be applied in Manner herein-after directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Directors and Truſtees (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Monies, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20 l.

XLVIII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as laſt-before mentioned ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, Buildings, or other Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, Purchaſe Money to be paid into the Bank.

XLIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be due and payable for the Purchaſe of the Lands, Tenements, Buildings, or Hereditaments to be purchaſed by virtue of this Act, ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Directors and Truſtees, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Directors and Truſtees to order the ſaid Sum or Sums of Money ſo due and payable as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements,

nements, Buildings, or Hereditaments, (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto, according to ſuch Poſſeſſion, unleſs, &c.

L. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name or with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, Buildings, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſts of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, Buildings, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, Buildings, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, Buildings, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

LI. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, Buildings, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, Buildings, or Hereditaments to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Directors and Truſtees out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For paying off Mortgages on Lands uſed by the Truſtees.

LII. And be it further enacted, That in caſe any Lands, Tenements, Buildings, or Hereditaments, to be uſed for the Purpoſes of this Act, ſhall happen to be in Mortgage to any Perſon or Perſons, it ſhall and may be lawful for the ſaid Directors and Truſtees, upon Application being made to them by ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators, and the ſaid Directors and Truſtees are hereby authorized and required to pay ſuch Sum or Sums of Money after the ſame ſhall have been ſo agreed in Manner aforeſaid, for ſuch Lands, Tenements, Buildings, or Hereditaments in Mortgage in Part of the Principal Money that ſhall be due upon ſuch Mortgage or Mortgages unto ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators: Provided always, that upon Receipt of ſuch Sum or Sums of Money an Indorſement ſhall be made upon the back of ſuch Mortgage or Mortgages, and ſigned by ſuch Mortgagee or Mortgagees, his, her, or their Executors or Adminiſtrators reſpectively in the Preſence of One or more credible Witneſs or Witneſſes, in Satisfaction of ſo much of the Principal Money due upon ſuch Mortgage or Mortgages, and which ſhall exonerate and diſcharge ſuch Premiſes of and from ſo much Money as ſhall be ſpecified in ſuch Receipt or Receipts.

Purchaſe Money to be paid or tendered before any Uſe of the Eſtate.

LIII. And be it further enacted, That all Sums of Money, or other Conſideration, Recompence, or Satisfaction to be paid or made purſuant to any ſuch Agreement, Surrender, or Conveyance as aforeſaid, or in Diſcharge of any ſuch Mortgage, ſhall be paid or tendered to the Party or Parties entitled to the ſame, or be paid into the Bank of *England* as aforeſaid, before the ſaid Directors and Truſtees, or any Perſons authorized by them, ſhall proceed to take down any Houſe or Houſes, or other Erections or Buildings, or to make uſe of any Lands, Tenements, Buildings, or Hereditaments compriſed in or affected by ſuch Agreement, Conveyance, Surrender, or Mortgage reſpectively.

Truſtees, &c. empowered to ſell, &c. any Ground not neceſſary for the Purpoſes of the Act.

LIV. And whereas ſome Part or Parts of the Lands, Tenements, Buildings, or Hereditaments ſo to be purchaſed as aforeſaid, may happen to be more than neceſſary, or be deemed unneceſſary, to be made uſe of for the Purpoſes of this Act; be it therefore further enacted, That it ſhall be lawful for the ſaid Directors and Truſtees, and they are hereby authorized and required to ſell or diſpoſe of, and to convey or cauſe to be ſold or diſpoſed of and conveyed, ſuch Part or Parts of the ſaid Lands, Tenements, Buildings, and Hereditaments, to any Perſon or Perſons willing to contract, agree for, or purchaſe the ſame; and the Money ariſing therefrom ſhall be paid and applied for the Purpoſes of this Act.

Rates.

LV. And, for more effectually raiſing Money towards anſwering and defraying the Expences of obtaining and paſſing this Act, and of carrying the ſame into Execution, be it further enacted, That the ſaid Directors and Truſtees, or any Five or more of them, ſhall and they are hereby authorized and required Twice or oftener in every Year as they ſhall ſee occaſion, to cauſe ſuch Sum or Sums of Money to be raiſed by Rates or Aſſeſſments upon the ſeveral Tenants or Occupiers of all Meſſuages, Tenements, Houſes, Warehouſes, Shops, Cellars, Vaults, Stables, Coach-houſes, Brewhouſes, Brewing Offices, Granaries, Malt Houſes, Store Houſes, and other Buildings, lying within the City aforeſaid, and of the ſeveral Gardens, Yards, and Orchards adjoining to or upon any of the Streets,

Streets, Lanes, or other Public Paſſages or Places within the ſaid City, and which ſhall be paved, cleanſed, lighted, or watched by virtue or in purſuance of this or the ſaid recited Acts, according to the annual Rent or Value of the ſame Premiſes reſpectively, (not exceeding in any one Year the Sum of Two Shillings in the Pound upon ſuch annual Rent or Value), as the ſaid Directors and Truſtees, or any Five or more of them, ſhall think proper and neceſſary, ſuch annual Rent or Value to be from Time to Time aſcertained by or according to the reſpective Rents at or upon which ſuch Meſſuages, Houſes, Warehouſes, Shops, Cellars, Vaults, Stables, Coach-houſes, Brewhouſes, Brewing Offices, Granaries, Malt Houſes, Store Houſes, and other Buildings, Gardens, Yards, and Orchards reſpectively, ſhall from Time to Time be rated or aſſeſſed in or by the Rate or Rates made for or towards the Relief of the Poor of the ſaid City, and exiſting at or immediately before the Time of making the Rate or Aſſeſſment under this Act; and the firſt Year for which ſuch Rates or Aſſeſſments ſhall be made ſhall commence at and be computed from the firſt or ſuch ſubſequent Quarter Day after the paſſing of this Act, as the ſaid Truſtees ſhall appoint: Provided always, that no Perſon being an Inhabitant and Houſeholder within the ſaid City, who has been rated and paid to Two Rates or Aſſeſſments made in purſuance of this Act, at the Rate of Sixpence in the Pound on his or her Rental in one Year, ſhall be liable to be rated for any other Rate to be made in purſuance of this Act in the ſame Year, unleſs ſuch Perſon ſhall be the Occupier of one or more Properties, which ſhall be rated together to the Amount of Ten Pounds at the leaſt.

Power for the Juſtices to relieve poor Perſons in certain Caſes from the Payment of the Rates, &c.

LVI. Provided always, and be it further enacted, That in caſe any Inhabitant of the City of *New Sarum* aforeſaid ſhall make it appear to the Satisfaction of the Juſtices of the Peace for the ſaid City, at a Meeting of Appeal to be held for that Purpoſe, of which Fourteen Days Notice ſhall be given on the Doors of the reſpective Pariſh Churches of *Saint Thomas*, *Saint Edmund*, and *Saint Martin*, within the ſaid City, and affixed on ſome conſpicuous Place at the Council Houſe of the ſaid City, that he, ſhe, or they is or are unable to pay the Whole or Part of ſuch Rate, and a fit Object to be relieved by reaſon of Poverty, that it ſhall and may be lawful to and for the ſaid Juſtices at ſuch Meeting to relieve ſuch Perſon or Perſons either from the Payment of the Whole or any Part of the ſaid Rate, as to them ſhall ſeem juſt and expedient; and that ſuch Rate ſhall, notwithſtanding ſuch Alterations, be good, valid, and effectual to all Intents and Purpoſes whatſoever, notwithſtanding any ſuch Alterations being ſo made therein: Provided always, that all Monies ariſing and to be collected by virtue of this Act from the Inhabitants of the Three ſeveral Pariſhes within the ſaid City, ſhall be applied in the neceſſary Expences incurred under and by virtue of this Act in general, and without Diſtinction, in the ſame Manner as if the whole City was but one entire Pariſh.

Aſſeſſors to be appointed.

LVII. And be it further enacted, That it ſhall be lawful for the ſaid Directors and Truſtees, or any Five or more of them, when and as often as they ſhall ſee Occaſion, to nominate and appoint One or more of the Inhabitants of the ſaid City, at ſuch Salary or without as they may think proper, to be the Aſſeſſor or Aſſeſſors of ſuch Rates or Aſſeſſments, and alſo One or more of the Inhabitants of the ſaid City, at ſuch Sa-

lary, or without, as they may think proper, to be the Collector or Collectors of ſuch Rates or Aſſeſſments, and ſuch Aſſeſſor or Aſſeſſors is and are hereby authorized and required to make ſuch Rates and Aſſeſſments from Time to Time accordingly, and to appear at ſuch Time and Place as the ſaid Directors and Truſtees ſhall by Writing under their Hands order and appoint, and then and there produce and deliver to them Two Copies or Duplicates of the Aſſeſſments made and ſubſcribed by ſuch Aſſeſſor or Aſſeſſors, and alſo from Time to Time upon reaſonable Notice to him or them given by the ſaid Directors and Truſtees, or any Five or more of them, to attend them the ſaid Directors and Truſtees at any of their Meetings, to explain the reſpective Rates and Aſſeſſments; and the ſaid Directors and Truſtees ſhall from Time to Time, as ſoon as may be after any ſuch Rate or Aſſeſſment ſhall be made and delivered to them by ſuch Aſſeſſor or Aſſeſſors, ſettle and ſign the ſame, and cauſe a Duplicate thereof, alſo ſigned by them, to be delivered to the Collector or Collectors to be appointed in that Behalf, and ſhall alſo iſſue their Orders to the ſaid Collector or Collectors requiring him or them to collect and receive the reſpective Sums of Money made payable by ſuch Rate or Aſſeſſment; and ſuch Collector or Collectors is and are hereby authorized and required to collect and receive the ſame accordingly; and alſo Once at leaſt in every Month or oftener if directed ſo to do by the ſaid Directors and Truſtees, or any Five or more of them, by Writing ſigned by their Clerk for the Time being, to pay the Money ſo to be collected and received by virtue of this Act, to the Treaſurer for the Time being to the ſaid Directors and Truſtees, or to ſuch Perſon or Perſons as the ſaid Directors and Truſtees ſhall appoint to receive the ſame, to be applied to and for the Uſes and Purpoſes of this Act; and all and every ſuch Collector and Collectors ſhall and is and are hereby required at the Time of making every ſuch Payment of the Money ſo by them reſpectively collected as aforeſaid, to deliver to ſuch Treaſurer or other Perſon or Perſons empowered to receive the ſame, a true and exact Account of all Sums of Money received by him or them reſpectively, and alſo of ſuch Sums of Money, Rates, or Aſſeſſments (if any) as ſhall remain uncollected, together with the Reaſons whereby the ſame have not been collected; and if any Perſon or Perſons who ſhall be appointed to the Office of Aſſeſſor or Collector by virtue of this Act ſhall neglect the due Execution and Performance of ſuch Office, without ſhewing ſome reaſonable Cauſe to the Satisfaction of the ſaid Directors and Truſtees for ſuch Neglect, or ſhall wilfully make Default in the Performance of the Duty of his ſaid Office, or ſhall otherwiſe miſbehave himſelf therein, he ſhall for every ſuch Neglect, wilful Default, or Miſbehaviour, forfeit and pay any Sum not exceeding Five Pounds, to be recovered as other Penalties are herein-after directed to be recovered, and alſo be diſcharged from his ſaid Office, if the ſaid Directors and Truſtees ſhall think fit; but no ſuch Aſſeſſor or Aſſeſſors, Collector or Collectors, who ſhall have ſerved the ſaid Offices, or either of them, or ſhall have paid the ſaid Penalty for refuſing or neglecting to take upon him or them reſpectively the ſaid Offices, or duly execute the ſame as aforeſaid, ſhall be again appointed thereto within Three Years next after the Time of his or their firſt Appointment reſpectively, nor ſhall any Perſon be liable to execute either of the ſaid Offices who ſhall be more than Sixty Years of Age, or who on account of Infirmity or otherwiſe ſhall be incapable of executing the ſame.

LVIII. And

Power for Truſtees to amend Rates if improper, &c.

LVIII. And be it further enacted, That if ſuch Aſſeſſor or Aſſeſſors ſo nominated and appointed ſhall at any Time or Times neglect or omit to rate or aſſeſs any Perſon or Perſons liable to pay or to be charged with any Rate or Aſſeſſment to be made by virtue of this Act, or ſhall in any ſuch Rate or Aſſeſſment over-rate or under-rate any Perſon or Perſons liable to pay any ſuch Rate or Aſſeſſment, then and in every ſuch Caſe it ſhall be lawful for the ſaid Directors and Truſtees to rate or aſſeſs in the ſaid Rate or Aſſeſſment ſuch Perſon or Perſons ſo omitted to be rated or aſſeſſed, and to leſſen or raiſe the Rate or Rates, Aſſeſſment or Aſſeſſments, of ſuch Perſon or Perſons ſo over-rated or under-rated, or otherwiſe to alter or amend ſuch Rate or Aſſeſſment as aforeſaid, ſo as to make the ſame conformable to the true Intent and Meaning of this Act; and it ſhall be lawful for the ſaid Directors and Truſtees and they are hereby empowered to ſtrike out the Name or Names of any Perſon or Perſons not liable to the Payment of the Rates hereby directed to be made; and that all ſuch Additions to or Alterations or Amendments in ſuch Rates or Aſſeſſments ſhall be as valid and effectual as if the ſame had been Part of the Rates or Aſſeſſments originally made.

Apportionment of Rates between quitting and incoming Occupiers.

LIX. Provided always, and be it further enacted, That in all Caſes where any Perſon or Perſons ſhall remove from or quit any Property for or in reſpect of which ſuch Perſons ſhall be rated or aſſeſſed or be liable to be rated or aſſeſſed by virtue of this Act, ſuch Perſon or Perſons ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that he, ſhe, or they occupied the ſame reſpectively, in like Manner as if he, ſhe, or they had not removed from or quitted ſuch Property; and in all Caſes where any Perſon or Perſons ſhall come into or occupy any Property for or in reſpect whereof he, ſhe, or they ſhall be rated or aſſeſſed or be liable to be rated or aſſeſſed as aforeſaid, out of or from which any other Perſon or Perſons ſhall be removed, or which at the Time of making any ſuch Rate or Aſſeſſment was empty or unoccupied, the Perſon or Perſons coming into or occupying the ſame Property (although his, her, or their Name or Names may not be inſerted in the Rate) ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that ſuch Perſon or Perſons ſhall occupy the ſame, in like Manner as if he, ſhe, or they had been originally rated or aſſeſſed by Name for ſuch Property; ſuch Proportion to be ſettled and aſcertained in caſe of Diſpute by one or more Juſtice or Juſtices of the Peace for the ſaid City of *New Sarum*.

Rates on Houſes let into ready-furniſhed Lodgings.

LX. And be it further enacted, That where any Meſſuage, Houſe, or Tenement, within the ſaid City of *New Sarum* ſhall be let into ready-furniſhed Lodgings, the Landlord or Owner of every ſuch Meſſuage, Houſe or Tenement, ſhall be deemed and taken to be the Occupier thereof for the Purpoſes of this Act, and ſhall be charged with and liable to pay the whole of the Rate or Rates to be from Time to Time aſſeſſed for or in reſpect of every ſuch Meſſuage, Houſe or Tenement.

Proviſion in Caſes where there are more Owners or Occupiers than One.

LXI. And be it further enacted, That where any Meſſuage or other Property for or in reſpect of which any Rate or Aſſeſſment ought to be made by virtue of this Act, ſhall be let or demiſed to more than one Tenant or Occupier, or ſhall belong to more than one Owner, any one or more of ſuch Tenants or Occupiers, or any one or more of ſuch Owners

Owners shall be deemed to be the sole Tenant or Occupier or sole Owner thereof for the Purposes of this Act, so far as relates to the Payment or Recovery of all or any Rates, Assessments, Costs, Charges, and Expences chargeable on such Tenants or Occupiers and Owners respectively by virtue of this Act; and all such Rates, Assessments, Costs, Charges, and Expences may be levied and recovered by Distress and Sale of the Goods and Chattels of any one or more of such Tenants or Occupiers, or of such Owners, as the Case may be, in the same Manner as if such Tenant or Occupier, or Owner, were in fact the sole Tenant or Occupier or sole Owner: Provided always, that such Occupier or Occupiers shall not at any Time be required to pay, or be subject or liable to pay, any greater Sum or Sums of Money for or towards the Discharge of the said Rates or Assessments, or any of them, and the Arrears thereof, than the Amount of the Rent actually due by such Occupier or Occupiers to the Owner or Owners of the Premises so occupied by him, her, or them.

Houses, &c. unoccupied not rateable.

LXII. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay any Rate or Assessment to be made under the Authority of this Act, for or in respect of any Messuage, House or other Building, or of other Premises, which shall be unoccupied during the Whole of the Quarter or Half of the Year in or for which the Quarterly or Half-yearly Portion of Rate or Assessment demanded shall have become or accrued due.

Mode of Recovery of Rates.

LXIII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed, or subject or liable to the Payment of any Rate or Assessments to be made or laid, or made payable by virtue of this Act, shall refuse or neglect to pay such Rate or Assessment to any Collector to be appointed as aforesaid for the Space of Fourteen Days next after Demand made by the Collector or Collectors thereof, in Writing under the Hand of such Collector, and left at the last or usual Place or Places of Abode of the Person or Persons so refusing or neglecting to pay as aforesaid, then and in every such Case it shall be lawful for any Justice of the Peace for the said City of *New Sarum* to issue a Summons under the Hand and Seal of such Justice, for such Person or Persons to appear before him, to shew Cause (if any) why the said Rate or Assessment should not be paid; and in case such Person or Persons shall not appear, or shall appear pursuant to such Summons, but shall not shew sufficient Cause to the contrary, then and in every such Case it shall and may be lawful to and for such Justice, by Warrant under his Hand and Seal, to authorize and direct the said Collector, or any other Person, to levy such Rate or Assessment, and all Arrears thereof, by Distress and Sale of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay as aforesaid, rendering the Overplus (if any) upon Demand, to the Owner or Owners of the Goods or Chattels so distrained, after deducting the Costs and Charges attending such Distress and Sale.

Directing the Manner of serving Notices.

LXIV. And be it further enacted, That in all Cases where Notices or Summonses are directed or required to be given by this Act, or where the same shall or may be necessary for carrying into Execution any of the Powers aforesaid, (the Manner of serving whereof is not particularly

directed by this Act), the Delivery of any such Notice or Summons, or a true Copy thereof, to the Person or Persons to whom the same shall be directed, or to whom Notice ought to be given, or the leaving the same or a true Copy thereof at his, her, or their Dwelling House or Dwelling Houses, usual or last Place or Places of Abode, shall be a good and sufficient Service of every such Notice or Summons.

Power to borrow Money.

LXV. And be it further enacted, That it shall be lawful for the said Directors and Trustees, or any Five or more of them, (but subject and without Prejudice to any Sum or Sums of Money already raised under the Powers of the said recited Acts), from Time to Time to borrow and take up at Interest such further Sum or Sums of Money as they shall judge necessary for the Purposes of this Act, upon the Credit of the Rates, Duties, or Assessments to be laid and collected by virtue of this Act, not exceeding the Sum of Three thousand Pounds; and by Writing under their Hands and Seals, or under the Hands and Seals of any Five or more of them, to assign all or any Part of the said Rates, Duties, or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his, her, or their Trustee or Trustees, as a Security for the Principal Money to be advanced, with legal Interest for the same, and the Costs and Expences of such Assignment thereof to be made as hereinafter mentioned, shall be from Time to Time defrayed by the said Directors and Trustees out of the Monies to be so borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say),

Form of Assignment.

'WE of the Trustees appointed by or in pursuance of an Act passed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act to alter, extend, and amend the Powers of Two Acts passed in the Tenth Year of the Reign of His late Majesty King* George *the Second, and in the Twelfth Year of the Reign of His present Majesty, for better paving, lighting, and watching the City of* New Sarum, *in the County of* Wilts; in Consideration of the Sum of advanced and lent by *A. B.* of upon the Credit and for the Purposes of the said Act, do hereby grant and assign unto the said or his Trustee or Trustees, [*as the Case may require*], his Executors, Administrators, and Assigns, such Proportion of the Rates, Duties, or Assessments arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum, which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the said Act, to be had and holden from this Day of until the said Sum of with Interest at the Rate of Pounds *per Centum per Annum* for the same shall be repaid and satisfied. In Witness whereof we the said Directors and Trustees have hereunto set our Hands and Seals, the Day of in the Year of our Lord .'

And all such Assignments, together with the Assignments or Securities already given for the Monies already borrowed under the Authority of the said recited Acts, shall be numbered, and commence with Number One, and so proceeding in an Arithmetical Progression ascending, whereof the common Excess or Difference shall be always one; and every such Security shall be good, valid, and effectual in the Law, to all Intents and

Purposes

Purpoſes whatſoever, and ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Payment thereof, and to all Profits and Advantages thereon, according to the true Intent and Meaning of this Act.

Power of transferring Mortgages.

LXVI. And be it further enacted, That it ſhall be lawful for the Perſons entitled to any of the Securities for the Money to be borrowed upon legal Intereſt as aforeſaid, and their reſpective Executors, Adminiſtrators, or Aſſigns, from Time to Time and at all Times thereafter, by Writing under their Hands and Seals, to transfer ſuch Securities to any Perſon or Perſons whomſoever, which Transfer may be in the Words or to the Effect following; (that is to ſay),

Form of Transfer.

'I *A. B.* being entitled to the Sum of ſecured to *C. D.* and his Aſſigns, [*or*, his Executors, Adminiſtrators, and Aſſigns, *as the Caſe may be*] by virtue of an Aſſignment, bearing Date the Day of under the Hands and Seals of of the Truſtees acting in the Execution of an Act paſſed in the Fifty-fifth Year of the Reign of King *George* the Third, intituled *An Act to alter, extend, and amend the Powers of Two Acts paſſed in the Tenth Year of the Reign of His late Majeſty King* George *the Second, and in the Twelfth Year of the Reign of His preſent Majeſty, for better paving, lighting, and watching the City of* New Sarum, *in the County of* Wilts, upon the Credit of the Rates, Duties, or Aſſeſſments granted or made payable by the ſaid Act, do hereby transfer all my Right and Title in and to the ſame Sum, and all Intereſt and other Money now due and owing thereon, unto *E. F.* his Executors, Adminiſtrators, and Aſſigns. Dated the Day of in the Year of our Lord

And a Copy of every Security or Aſſignment which ſhall have been made in purſuance of this Act, and an Extract or Memorial of every Transfer thereof reſpectively, ſhall be entered in a Book to be kept for that Purpoſe by the Clerk to the ſaid Directors and Truſtees, which Extract or Memorial ſhall ſignify and contain the Date, Names of the Parties, and Sums of Money thereby transferred, to which Book any Perſon intereſted ſhall at all ſeaſonable Times have acceſs, and have free Liberty to inſpect the ſame without Fee or Reward, and for the Entry of every ſuch Transfer the ſaid Clerk ſhall be paid the Sum of One Shilling; and every ſuch Transfer after Entry thereof as aforeſaid, ſhall entitle the Perſon to whom the Transfer ſhall be made, and his or their Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security thereby transferred without any other Regiſtry or Enrolment whatſoever; and every ſuch Aſſignee may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*, and it ſhall not be in the Power of any Perſon or Perſons (except ſuch Perſon or Perſons to whom the ſame ſhall be laſt transferred) to releaſe, diſcharge, or make void the original Mortgage, Security, or the Monies due thereon, or any Part thereof; and all Perſons to whom any Mortgage or Transfer ſhall be made as aforeſaid ſhall, in Proportion to the Sum or Sums of Money thereby ſecured, be Creditors on the Rates, Duties, or Aſſeſſments by this Act granted (without Prejudice to any Sum or Sums of Money already received under the Powers of the ſaid recited Acts) in equal Degree one with another, and ſhall have no Preference in reſpect of the Priority of advancing their Monies, or of the Dates of their Securities.

LXVII. And

Application of Money.

LXVII. And be it further enacted, That all the Monies to arise by or from the said Rates, Assessments, or Tolls hereby granted and authorized or directed to be made, collected, or levied, and which have already been or may hereafter be borrowed on the Credit thereof as aforesaid; and also all other Money which shall come to the Hands, Custody, or Power of the said Directors and Trustees, or their Treasurer, by virtue or for the Purposes of this Act, shall be applied and disposed of in the first Place in the Payment and Discharge of the Costs, Charges and Expences incident to and attending the obtaining and passing this Act, and afterwards from Time to Time in paying and discharging the Interest and Principal of the Monies already borrowed and to be borrowed as aforesaid by virtue of this Act, and towards defraying the Charges and Expences of paving and repairing the Pavements and Watercourses of the several Streets, Lanes, and other Passages and Places within the said City, and in repairing, cleansing, lighting, and watching the several Streets and other Public Passages and Places aforesaid, and all other Charges and Expences of carrying this Act into Execution, and to and for no other Use, Intent, or Purpose whatsoever.

Mode of paying off Mortgages.

LXVIII. And, in order that no undue Preference may be given in the paying off any of the said Mortgages, be it further enacted, That when the said Directors and Trustees shall think proper to pay off any of the said Mortgages they shall cause the Numbers of all the Mortgages which shall be then in force, to be put into a Box or Glass, and so many Numbers of the same shall be drawn out of the said Box or Glass by the Clerk to the said Directors and Trustees, in the Presence of Five or more of the said Directors and Trustees as shall make up the Sum then intended to be paid off; and that Three Calendar Months Notice in Writing signed by the said Clerk shall be given to the Person or Persons who shall be entitled to receive the Money secured by the Mortgage or Mortgages so drawn out or left at his, her, or their last or most usual Place of Abode, that his, her, or their Mortgage or Mortgages will be paid off, and that at the Expiration of the said Three Calendar Months, to be computed from the Day of such Notice being given or left as aforesaid, all Interest on the Mortgage or Mortgages so drawn out shall cease and determine.

For providing a Fund for paying off Securities.

LXIX. Provided always, and be it enacted, That in case any Sum or Sums of Money shall be borrowed and taken up at Interest, on the Credit of the Rates or Assessments hereby authorized to be made, that then and in every such Case, it shall and may be lawful to and for the said Directors and Trustees, and they are hereby required, after the Expiration of Two Years after the passing of this Act, to cause the Sum of One hundred Pounds at the least, Part of the Money which may be raised under the Authority and for the Purposes of this Act, to be annually invested in the Purchase of Stocks or Annuities in the Public Funds, in the Name of the Recorder and Deputy Recorder of the said City of *New Sarum*, and the Treasurer of the said Directors and Trustees for the Time being, and to cause the Interest, Dividends, Proceeds, and Produce thereof, when and as the same shall arise or become due, and be received, from Time to Time to be laid out and invested in like Manner as soon as may be in the Purchase of the like Stocks or Annuities, so that a Fund may be thereby provided for the Satisfaction and Discharge of the Principal Money already

due or to be borrowed under or by virtue of the Powers of this Act, and when such accumulated Fund shall amount to a sufficient Sum to enable them to pay off the Sum of Five hundred Pounds Part thereof, to cause the Stocks or Annuities wherein the same shall or may be then invested, to be sold and disposed of, and by and out of the Money arising from the Sale thereof, to cause the Sum of Five hundred Pounds Part of the Money already borrowed and hereafter to be borrowed under the Authority of this Act, to be immediately paid off and discharged; and immediately thereupon to invest the Interest of such Sum so paid off (together with the said Sum of One hundred Pounds herein-before directed to be invested) in Manner aforesaid, together with the Interest, Dividends, Proceeds, and Produce thereof when and as the same shall arise and become due and be received in aid of the Fund herein-before directed to be provided for the Purposes aforesaid; and when such accumulated Fund shall amount to sufficient to pay off a like Sum of Five hundred Pounds to cause the said Stocks or Annuities in like Manner to be sold and disposed of and appropriated in Manner aforesaid, and so *toties quoties*, until the whole of the Money already due and owing, or hereafter to be raised under the Authority of this Act, shall be paid off and discharged.

Accounts to be annually made out.

LXX. And be it further enacted, That the said Directors and Trustees shall upon *Easter Monday* in every Year, or within Three Months then next following, cause a fair and true Account to be made and drawn out in Writing of all the Monies received and paid in pursuance of this Act, and to whom and for what Purposes and at what Times the same have been paid, laid out, and expended, and such Account shall be carefully examined and audited by Three or more Directors to be appointed for that Purpose at a Meeting of the said Directors and Trustees, and the same shall be signed by such Auditors, and a Report of the State of such Account and an Abstract thereof shall be printed and distributed to all Persons paying to the said Rates, and the said Account shall be deposited with and kept by the Clerk to the said Directors and Trustees, who is hereby required to permit any Person charged with the Payment of any of the said Rates or Assessments to inspect the same at any seasonable Time, without paying any Thing for the Inspection thereof.

Directors and Trustees not to be answerable in their private Capacity.

LXXI. Provided always, and it is further enacted and declared, That no Contract which shall be made by the said Directors and Trustees for any of the Purposes of this Act, shall be binding upon the said Directors and Trustees as Individuals, or in their private Capacity, nor shall any of the said Directors and Trustees personally, or their respective Estates, be answerable for or subject to the Payment of any of the Mortgages to be granted in pursuance of this Act; and that all Money which shall be expended by or recovered against any of the said Directors and Trustees, or any Person or Persons employed by them by Means of any Action, Prosecution, or Appeal, to be brought by or against them, or any of them, touching the Execution of this Act, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer of the said Directors and Trustees, or any other Person, by virtue of this Act: Provided nevertheless, that nothing herein contained shall extend to exonerate or discharge any of the said Directors and Trustees, their Houses, Lands, Tenements, Hereditaments, Goods, Chattels, or Effects,

from the Payment of the Rates or Assessments to be raised by virtue of this Act.

Penalty on Persons interrupting or assaulting Workmen.

LXXII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, abuse, molest, or disturb any Collector, Scavenger, Watchman, or any other Officer or Officers, or Workman, who is, are, or shall be employed under and by virtue of this Act, in the Performance or Execution of his, her, or their Duty, or of any of the Matters or Things to be done by virtue or in pursuance thereof; every such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Provision for the bringing and defending Actions in the Name of the Clerk.

LXXIII. And be it further enacted, That the said Directors and Trustees may sue and be sued in the Name of their Clerk for the Time being, and that all Actions, Suits, Prosecutions, Informations, Appeals, and other Proceedings whatsoever, that may be necessary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, may be had, taken, prosecuted, or defended in the Name of their Clerk; and that no Action, Suit, Prosecution, Information, Appeal, or other Proceeding to be had, taken, prosecuted, or defended by or against the said Directors and Trustees, or any of them, by virtue of this Act, in the Name of their Clerk, shall abate or be discontinued by Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered, without the Consent or Direction of the said Directors and Trustees, but that the Clerk to the said Directors and Trustees for the Time being shall be always deemed the Plaintiff, Prosecutor, Informant, Appellant, Defendant, or Respondent, in any such Action, Suit, Prosecution, Information, Appeal, or other Proceedings, as the Case may be, except in such Action or Actions, Suit or Suits, as shall be prosecuted between the said Directors and Trustees, and their Clerk for the Time being, in which Action or Suit any one of the said Directors or Trustees shall or may be Plaintiff or Defendant, as the Case may be: Provided always, that all and every such Clerk in whose Name or Names any such Action, Suit, Prosecution, Information, Appeal, or other Proceeding, shall be had, taken, prosecuted, or defended, in pursuance of this Act, shall be fully reimbursed and paid out of the Monies arising by virtue of this Act all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action, Suit, Prosecution, Information, Appeal, or other Proceedings, he or they shall pay, bear, sustain, expend, or be put unto, or become chargeable with or liable for, or be fairly entitled to, by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, Informant or Informants, Appellant or Appellants, Respondent or Respondents as aforesaid, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced, or be defended, without the Order or Direction of the said Directors and Trustees.

The Mode of Recovery and Application of Penalties and Forfeitures.

LXXIV. And be it further enacted, That all Penalties and Forfeitures by this Act imposed and incurred, or by any Bye Law, Rule, or Order to be made in pursuance thereof, and all Costs, Charges, and Expences allowed, ordered, or directed to be paid by the Authority of this Act, or any such Bye Law, Rule, or Order, (for the Recovery whereof no other Method

Method hath been directed by this Act), together with reasonable Costs, shall be levied by Distress and Sale of the Offenders Goods and Chattels by Warrant under the Hand and Seal of any Justice of the Peace for the City of *New Sarum* aforesaid, which Warrant such Justice is hereby empowered and required to issue, either upon his own View or upon the Confession of the Party or Parties, or upon the Evidence of any One or more credible Witness or Witnesses upon Oath; and the Overplus of the Money (if any) arising by such Distress and Sale shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale, and of recovering such Penalties, Forfeitures, Sum or Sums of Money; and all such Penalties, Forfeitures, and Sums of Money when recovered, shall, if not herein directed to be otherwise applied, be paid to the Treasurer to the said Directors and Trustees, and be applied by him for such of the Purposes of this Act, as the said Directors and Trustees shall think fit; and in case no sufficient Distress or Distresses can be found, or such Penalties, Forfeitures, or Sums of Money shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction of and for the said City of *New Sarum*, there to be kept to hard Labour without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, shall be sooner paid and satisfied.

Form of Conviction of Offenders.

LXXV. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence against this Act, or any Matter in pursuance thereof, the Conviction shall be drawn up in the Words or to the Effect following; (that is to say),

'City of New Sarum.' BE it remembered, That on this Day of in the Year of our Lord *A. B.* is convicted before me [*or*, us, *as the Case may be*] One [*or*, Two, *as the Case may be*] of His Majesty's Justices of the Peace for the City of *New Sarum*, by virtue of an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to alter, extend, and amend the Powers of Two Acts passed in the Tenth Year of the Reign of His late Majesty King* George *the Second, and in the Twelfth Year of the Reign of His present Majesty, for better paving, lighting, and watching the City of* New Sarum, *in the County of* Wilts, of having [*here state the Offence, and the Time and Place when and where the same was committed, as the Case may be*] contrary to this or the said recited Acts, [*as the Case may be*] or contrary to a certain Bye Law made on the Day of pursuant to the said Act or Acts [*as the Case may be*] for which Offence I [*or*, We, *as the Case may be*] do declare and adjudge that the said *A. B.* hath forfeited the Sum of but if mitigated, which I [*or*, We, *as the Case may be*] mitigate to the Sum of . Given under my Hand and Seal [*or*, our Hands and Seals, *as the Case may be*,] the Day and Year first above written.'

LXXVI. And

Power to administer Oaths.

LXXVI. And be it further enacted, That in all Cases where the said Directors and Trustees, or any Justice or Justices of the Peace, are by this Act authorized or required to examine any Person or Persons on Oath or Affirmation, it shall be lawful for such Justice or Justices, to administer such Oath or Affirmation; and that if any Person or Persons shall upon his or her Examination upon Oath or Affirmation before such Justice or Justices respectively, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

Limiting the Time for Information of Offences.

LXXVII. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any Penalty, Forfeiture, or Sum of Money imposed by this Act, or by virtue of any Bye Law, Rule, or Order to be made in pursuance thereof, for any Offence against this Act, or the said Bye Law, Rule, or Order, unless Information be given of the Offence within Six Calendar Months next after such Offence shall have been committed, save and except the Penalties hereby inflicted for the Non-payment of any Rate or Assessment made under the Authority of this Act.

For compelling the Attendance of Witnesses.

LXXVIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace, touching any Matters of Fact contained in any Information or Complaint for any Offence against this Act, or against any Bye Law, Rule, or Order made or to be made in pursuance thereof, whether on the Part of the Prosecutors or of the Person or Persons complained of, and which Summons such Justice or Justices as aforesaid is and are hereby authorized to issue where and in such Cases only as such Justice or Justices as aforesaid is and are made competent by this Act to hear and determine the same; and if any such Person or Persons so summoned as aforesaid shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed without any reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by such Justice or Justices, or appearing shall refuse to be examined on Oath or solemn Affirmation, or to give Evidence before such Justice or Justices, then and in every such Case every such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Power for Justices to make Allowances to Informers and Witnesses.

LXXIX. Provided always, and be it further enacted, That it shall be lawful for the Justice of the Peace before whom any Offender shall be convicted of any Offence against this or the said recited Acts, if he shall think fit, to deduct, allow, and pay a Part of the Fine, Penalty, or Forfeiture which shall be imposed and received of any such Offender convicted before him of any such Offence as aforesaid, unless herein otherwise directed, (not exceeding One Moiety or Half Part thereof) to the Informer or Informers, Witness or Witnesses, against such Offender, in such Shares and Proportions as to such Justice shall seem meet.

Distress not unlawful for Want of Form merely.

LXXX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this or the said recited Acts, the Distress itself shall not be deemed unlawful, nor the Party or Parties

Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties ſo diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

Proceedings not to be quaſhed or removed by Certiorari.

LXXXI. And be it further enacted, That no Order, Writ, Precept, Proceſs, Verdict, Rate, Aſſeſſment, Judgment, Conviction, or other Proceeding touching or concerning any of the Matters aforeſaid, or touching or concerning any Offence againſt this or the ſaid recited Acts, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Plaintiff not to recover without Notice, or after Tender of Amends.

LXXXII. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action to be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this or the ſaid recited Acts, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants, or left at his, her, or their laſt or uſual Place or Places of Abode Twenty-eight Days before ſuch Action ſhall be commenced of ſuch intended Action, ſigned by the Attorney or Plaintiff or Plaintiffs ſpecifying the Cauſe of ſuch Action, nor ſhall the Plaintiff or Plaintiffs recover in ſuch Action if Tender of ſufficient Amends ſhall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgment, ſhall be had, made, and given, in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Power for Inhabitants to be Witneſſes.

LXXXIII. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, Appeals, and Proceedings whatſoever relating to or concerning the Execution of this Act, no Perſon acting under the Authority of the ſaid Directors and Truſtees, or holding any Office or Situation under them, nor any Inhabitant of the ſaid City of *New Sarum*, ſhall be deemed to be an incompetent Witneſs, by reaſon of his or her being ſo appointed as aforeſaid, or by reaſon of his or her being charged with and liable to pay any Rate or Aſſeſſment, under or by virtue of this Act.

Appeal.

LXXXIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment which ſhall be made or demanded in purſuance of this Act, ſuch Perſon or Perſons may appeal to the ſaid Juſtices at their Meeting for Appeals which ſhall be holden after the Expiration of Fourteen Days from the Time of demanding ſuch Rate or Aſſeſſment; and the

ſaid Juſtices at ſuch Meeting are hereby authorized and empowered, if they ſhall think ſuch Perſon or Perſons aggrieved, to give ſuch Relief in the Premiſes as to them ſhall ſeem reaſonable; and if any Perſon or Perſons ſhall be diſſatisfied with the Determination of the ſaid Juſtices therein, or if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Order, Judgement, or Determination of the ſaid Juſtices, as herein-before mentioned, or by any Penalty impoſed, or by any Conviction made, or by any Rule, Order, or Bye-Law made or to be made in purſuance of this or the ſaid recited Acts, (ſave and except in ſuch Caſes where any Order, Judgement, or Determination is herein directed to be final or concluſive, and ſave and except in ſuch Caſes for which any particular Method of Relief is herein appointed), ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at the next General Seſſions of the Peace to be holden within the ſaid City of *New Sarum*, after the Cauſe of Complaint ſhall have ariſen, the Perſon or Perſons appealing firſt giving or cauſing to be given to the Clerk to the ſaid Directors and Truſtees Eight Days Notice in Writing of his, her, or their Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof; and within Four Days next after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for the ſaid City with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the Juſtices at the ſaid Seſſions, upon due Proof of ſuch Notice having been given, and of ſuch Recognizance having been entered into as aforeſaid, ſhall hear and finally determine every ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing, or appealed againſt, as the ſaid Juſtices ſhall think proper, and ſhall and may, at their Diſcretion, diſcharge or mitigate all or any of the Penalties, Forfeitures, or Sums of Money incurred by the Party or Parties appealing; and the Determination of the ſaid Juſtices in their ſaid General or Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Limitation of Actions.

LXXXV. Provided always, and be it further enacted, That no Action, Suit, or Information ſhall be brought, commenced, or proſecuted againſt any Perſon or Perſons for any Thing done or to be done by virtue or in purſuance of this Act, or of the Orders and Directions thereby reſpectively given and granted, or in Exerciſe and Execution of any of the Powers and Authorities thereof reſpectively after Six Calendar Months next after the Fact committed or the Cauſe of ſuch Action ſhall have ariſen, and every ſuch Action ſhall be brought and laid in the County in which the Cauſe of Action ſhall have ariſen and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance or by the Authority of this Act, or of ſome Bye Law, Rule, or Order made in purſuance thereof; and if upon the Trial of ſuch Action, Suit, or Proſecution, it ſhall appear to have been ſo done, or that ſuch Action, Suit, or Proſecution ſhall have been brought before the Expiration of Ten Days next after ſuch Notice ſhall have been given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or be brought or laid in any other County than as aforeſaid, then and in every ſuch Caſe the Jury ſhall find a Verdict for the Defendant or Defendants;

General Iſſue.

fendants; and in all Cases where a Verdict shall be found for any Defendant or Defendants in such Action, Suit, or Prosecution, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if a Verdict or Judgement shall be given for the Defendant or Defendants therein, or if upon Demurrer or otherwise, Judgement shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant or Defendants hath or have for recovering Costs of Suit in any other Case by Law.

Treble Costs.

Rights of the Bishop of Salisbury.

LXXXVI. Provided always, and it is hereby declared, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or take away any of the Rights, Privileges, or Powers belonging to the Lord Bishop of *Salisbury*, or his Successors.

Public Act.

LXXXVII. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without being specially pleaded.

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